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ABSTRACT

This guide summarizes the coverage of public employees by state labor relations laws. For each state, the guide describes legal provisions, current situation, and current legislative activity. The report also includes data on population, public employment, work stoppages, and state revenues and expenditures. Agencies useful in gathering and verifying the data include management associations, employee organizations, university industrial relations and government research centers, as well as the "Government Employee Relations Report" published by the Bureau of National Affairs, Inc. (Author/BH)

ED 064481

PUBLIC SECTOR
LABOR RELATIONS
INFORMATION EXCHANGE

State Profiles:
Current Status of Public Sector Labor Relations

VT015589

November, 1971
U.S. DEPARTMENT OF LABOR, Labor Management Services Admin.
DIVISION OF PUBLIC EMPLOYEE LABOR RELATIONS, Washington, D.C. 20210

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PUBLIC SECTOR
LABOR RELATIONS
INFORMATION EXCHANGE

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State Profiles:
Current Status of Public Sector Labor Relations

November 1971

U.S. DEPARTMENT
OF LABOR
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Secretary

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SERVICES ADMINISTRATION
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Assistant Secretary

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FOREWORD

Federal labor legislation specifically excludes public employers from coverage. The National Labor Relations Act states:

> ". . . the term employer includes any person acting as an agent of an employer, directly of indirectly, but shall not include the United States or any wholly owned Government Corporation, or any Federal Reserve Bank, or any State or political subdivision. . ."

In addition, most state labor relations acts also exempt the state and its subdivisions from coverage.

However, beginning with Wisconsin in 1959 and the first federal Executive Order in 1962, a trend has clearly developed toward the passage of separate legislation dealing exclusively with state and local employees. Thirty-five states now have some positive labor relations legislation or procedure for dealing with their public employees.

There continues to be a considerable amount of activity in the state legislatures. We know of 129 bills in 43 states concerning public employee labor relations which have been considered during the 1971 legislative sessions. Most of these bills failed or died in committee. Some are still being considered, and some will be carried forward to the next legislative year. But a total of twenty-one bills became law this year.

Georgia and Oklahoma established bargaining rights for some of their employees for the first time. Idaho, Kansas, Montana, and Nevada extended coverage to employees previously not covered. Maine and South Dakota authorized administrative agencies. Hawaii, Minnesota, New York, Oregon, Vermont and Wisconsin made changes in their existing statutes.

While a trend toward specific legislation may be perfectly clear, a common response pattern is hardly discernable. Statutory coverage and substance run the gamut from bare minimum to near duplication of the private sector model. The variety of approaches to essentially similar problems seems infinite.

Our purpose in presenting this data is to provide a single-source overview of what is happening in each state. Our primary focus is on the legislative situation and on the factors which might impact on such legislation. For more specific detail on legal provisions, please consult the division's publication Summary of State Policy Regulations for Public Sector Labor Relations. Another publication, A Directory of Public Employment Relations Boards and Agencies, gives greater detail on the organization and function of the states' administrative machinery.

In summarizing the various state statutes, a great deal of care was taken to convey the correct intent of the statute. This intent was not too infrequently obscured by tedious, semantical nuances which may have had more significance for the passage of the bill than to the realities of labor-management relations.

The most frequent use of confusing labels may be found in the attempts to define and distinguish among the terms, "collective bargaining", "negotiate," and "meet and confer." Definitions frequently used one term to explain the other.

Another area of frequent confusion concerned impasse procedures. A mediation panel which holds hearings and issues recommendations is difficult to distinguish from a fact-finding panel which does the same thing, or for that matter, from advisory arbitration.

Where there was such a problem, we attempted to use the exact terminology of the statute but retain sufficient detail where the application departed from the usual pattern. This study has indicated to us the pressing need for some standardization of common terminology.

Delineation of the legal framework can offer only a partial explanation of the public sector labor relations situation. Statutes themselves, their initiation or administration, are often a result of other State and local characteristics. Demographic trends and their effects on public service requirements often have a profound effect on budgets, levels of taxation, and most importantly, on how public labor and management perceive their respective roles and responsibilities. Therefore, we have included selected economic and demographic data to assist in understanding the framework within which each state operates. This is for the sole purpose of facilitating a better understanding of the total state situation. There is no intent to imply a cause and effect relationship.

In the interest of encapsulating as much information as possible in as little space as possible, initials of well-known employee organization are frequently used. These included the American Federation of State, County and Municipal Employees (AFSCME), American Federation of Teachers (AFT), International Association of Fire Fighters (IAFF), International Union of Operating Engineers (IUOE), and National Education Association (NEA). The AFT and NEA also use state names to designate state affiliates which, abreviated, become XFT and XEA.

We are indebted to a large network of professional and personal friends whose cooperation was invaluable in gathering and verifying this data. This network included management associations, employee organizations, university industrial relations and governmental research centers, neutral administrative agencies, as well as our own Departmental field staff. The Government Employee Relations Report, published by the Bureau of National Affairs, Inc., was particularly helpful in identifying items of current interest.

Data for the tables were gathered from a variety of sources and are subject to the limitations explained in the publications of their origin. Sources are listed below:

U.S. Bureau of the Census, 1970 Census of Population. PC1-A U.S. Government Printing Office, Washington, D.C., 1971.

U.S. Bureau of the Census, 1960 Census of Population. Vol. I, Part A. U.S. Government Printing Office, Washington, D.C., 1961.

Office of Business Economics, U.S. Dept. of Commerce, Survey of Current Business. Vol. 51, No. 8. U.S. Government Printing Office, 1971.

U.S. Bureau of the Census, Governmental Finances in 1969-70. Series GF-70-No. 5. U.S. Government Printing Office, Washington, D.C., 1971.

U.S. Bureau of the Census, Governmental Finances in 1960, U.S. Government Printing Office, Washington, D.C., 1961.

U.S. Bureau of the Census, Public Employment in 1970. Series GE70 No. 1. U.S. Government Printing Office, Washington, D.C., 1971.

U.S. Bureau of the Census, State Distribution of Public Employment in 1960. Series GE60 - No. 1. U.S. Government Printing Office, Washington, D.C., 1961.

U.S. Bureau of Labor Statistics, Work Stoppages in Government, 1958-68. Report 348. U.S. Government Printing Office, Washington, D.C., 1970. (Adjusted to exclude Federal work stoppages.)

U.S. Bureau of Labor Statistics, Summary Report - Government Work Stoppages, 1960, 1969-1970. U.S. Department of Labor, 1971. (Adjusted to exclude Federal work stoppages.)

This publication was prepared by John L. Bonner and Ken Fain, under the supervision of Jerome T. Barrett, Chief, Division of Public Employee Labor Relations, Office of Labor-Management Relations Services.

ALABAMA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,267	19	3,444	21	5.4	39
Population per square mile	64.0	27	67.9	27		
Percent of population urban	54.8	35	58.4	36	12.3*	38*
Percent of population rural	45.2	17	41.6	16	2.9*	29/30*
Per capita Personal income	$1,489	48	$2,853	49	91.6	9

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$200	49	$500	46	150.0	7
..from Federal Government	$47	20	$131	15	178.7	12
..from State & local sources	$153	50	$369	48	141.2	9
Per capita expenditures	$217	45	$505	46	132.7	18

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	287	38	394	40	37.3	25
Total State & local employees (Full time equivalent)	93,756	21	135,723	22	44.8	39
Average monthly income (Full time public employees)	$303	47	$518	48/49	71.0	29
Average monthly income (FT non-educational employees)	$270	46	$467	46	73.0	25

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	1	5	1	2	3
Workers involved	-	50	280	50	30	210
Mandays idle	-	200	4,040	500	30	340

*Computed on basis of actual numbers of population.

ALABAMA

LEGAL PROVISIONS

In a 1939 House Joint Resolution, organization of state employees in labor unions for purposes of collective bargaining is viewed with disfavor by the Legislature.

A 1953 statute (Solomon Act) bars state employees from joining labor organizations. Teachers, city, county, and state dock employees are exempted.

A 1957 Attorney General opinion concerning the Solomon Act made these points:

(1) Act does not authorize city employees to join unions;
(2) cities may condition employment of firemen and policemen upon non-membership in a union;
(3) other municipal employment may be conditioned upon non-membership in unions whose rules require bargaining;
(4) cities may not in absence of constitutional or statutory authority, recognize unions and enter into contracts;
(5) city employees may not strike or picket;
(6) where membership is not prohibited, cities may deduct union dues.

In 1964, Alabama Supreme Court held that public agency cannot bargain or enter into enforceable agreement with a labor organization in the absence of express constitutional or statutory authority to do so.

A 1967 statute grants state and municipal firefighters the right to join union (or not to join) and to present proposals relative to salaries and other conditions of employment.

CURRENT SITUATION

Union activity appears to be on a very modest level. In March, 1971, the Mobile County Personnel Board adopted a statement of policy concerning the rights of merit system employees to form unions. There are five public employee organizations in Mobile County. Also in 1971, the International Longshoremen's Association representing state dock employees gained their first contract following a circuit court decree in 1968 that such agreements are legal.

CURRENT LEGISLATIVE ACTIVITY

A bill in the 1971 legislature would permit state, county, and municipal employees to organize and bargain for wages and other benefits.

ALASKA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	226	51	300	51	32.8	4
Population per square mile	0.4	51	0.5	51		
Percent of population urban	37.9	49	48.4	44	69.7*	2*
Percent of population rural	62.1	3	51.6	8	10.3*	7*
Per capita Personal income	$2,835	3	$4,592	5	62.0	48

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$384	3	$4,168	1	985.4	1
..from Federal Government	$153	1	$ 358	2	134.0	28
..from State & local sources	$231	30	$3,810	1	1549.4	1
Per capita expenditures	$345	8	$1,350	1	291.3	1

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	282	41	515	4	82.6	2
Total State & local employees (Full time equivalent)	6,371	51	15,555	51	144.2	1
Average monthly income (Full time public employees)	$610	1	$1,020	1	67.2	40
Average monthly income (FT non-educational employees)	$615	1	$1,014	1	64.9	38

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	-	-	-	1	2
Workers involved	10	-	-	-	5	80
Mandays idle	40	-	-	-	10	260

* Computed on basis of actual numbers of population.

ALASKA

LEGAL PROVISIONS

One statute enacted in 1959, amended in 1968, covers all public employees except teachers. Provides that political jurisdictions may enter into contract with a labor organization. No provision for an administrative agency, recognition procedures, impasse resolution, unfair practices, or strikes.

A 1970 statute covers teachers. Requires bargaining on employment and fulfillment of professional duties, provides for exclusive recognition, representation elections, and grievance procedures. Provides for tri-partite mediation boards to submit findings and recommendations. No provisions for an administrative agency, unfair practices, or strikes.

CURRENT SITUATION

There is a moderately-high level of union activity (considering size). The minimal provisions of the statute have not provided solutions to bargaining problems. Recent strikes have involved recognition, contract renewal, and legislative delay in implementation of teachers' wages.

CURRENT LEGISLATIVE ACTIVITY

No data available.

ARIZONA

STATE POPULATION DATA						
	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	1,302	35	1,771	33	36.0	3
Population per square mile	11.5	42	15.6	42		
Percent of population urban	74.5	12	79.6	13	45.2*	4*
Percent of population rural	25.5	40	20.4	39	9.2*	8*
Per capita Personal income	$2,032	29	$3,591	29	76.7	26

STATE GOVERNMENT ECONOMIC DATA						
Per capita revenues	$308	18	$661	21	114.6	32
..from Federal Government	$49	19	$121	20	146.9	24
..from State & local sources	$259	15	$540	21	108.5	33
Per capita expenditures	$309	18	$629	25	103.6	40

PUBLIC EMPLOYMENT DATA						
Employees per 10,000 inhabitants (Full time equivalent)	337	14	435	21	29.1	41
Total State & local employees (Full time equivalent)	43,922	35	77,177	32	75.7	7
Average monthly income (Full time public employees)	$440	8/9	$730	14	65.9	44
Average monthly income (FT non-educational employees)	$383	13	$643	16	67.9	34

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT						
	1965	1966	1967	1968	1969	1970
No. of stoppages	-	1	-	-	2	3
Workers involved	-	120	-	-	660	200
Mandays idle	-	2,160	-	-	1,320	1,340

* Computed on basis of actual numbers of population.

ARIZONA

LEGAL PROVISIONS

A 1948 constitutional amendment provides that "No person shall be denied the opportunity to obtain or retain employment because of non-membership in a labor organization, nor shall the state or any subdivision thereof, or any corporation, individual, or association of any kind enter into any agreement, written or oral, which excludes any person from employment or continuation of employment because of non-membership in a labor organization."

In a 1954 court case (78 Arizona 30, 275 P 2d 393, 1954), the authority of a municipal body to enter into collective bargaining contracts was set forth under the implied power doctrine.

A 1971 statute strips tenure from any teacher who strikes.

CURRENT SITUATION

The extent of union organization and collective bargaining is modest but appears to be gaining momentum. Strikes in 1970 involved sanitation men in Phoenix and firefighters in Flagstaff. Neither were collective bargaining situations. A 1971 strike of Scottsdale teachers is said to have precipitated the anti-strike legislation subsequently passed.

CURRENT LEGISLATIVE ACTIVITY

A bill which would provide collective bargaining for public safety personnel was introduced into the 1971 legislature but failed to pass. An AEA sponsored bill for teachers did not clear committee. Despite recommendations for such legislation by Rep. Frank Kelley of Phoenix and academicians such as Dr. James C. McBrearty, Director of the Institute of Industry and Labor Relations, University of Arizona, and Dr. Benjamin J. Taylor, Arizona State University, the political climate is viewed as unfavorable.

ARKANSAS

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	1,786	31	1,923	32	7.7	35
Population per square mile	34.0	35	37.0	36		
Percent of population urban	42.8	43	50.0	43	25.6*	16/17*
Percent of population rural	57.2	9	50.0	9	-5.7*	38*
Per capita Personal income	$1,374	50	$2,791	50	103.1	5

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$204	47	$453	50	122.1	27
..from Federal Government	$50	18	$115	26	130.0	31
..from State & local sources	$155	49	$337	51	117.4	26
Per capita expenditures	$198	49	$473	49	138.9	12

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	273	47	380	43	39.2	22
Total State & local employees (Full time equivalent)	48,815	34	73,176	34	49.9	29
Average monthly income (Full time public employees)	$280	50	$469	50	67.5	38
Average monthly income (FT non-educational employees)	$254	50	$418	50	64.6	41

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	1	2	-	2
Workers involved	-	-	100	290	-	320
Mandays idle	-	-	1,570	3,700	-	4,910

* Computed on basis of actual numbers of population.

ARKANSAS

LEGAL PROVISIONS

Constitutional Amendment No. 34, passed in 1944, provided that it is the public policy of the state that organized labor is free to bargain collectively and unorganized labor to bargain individually and that "no person shall be denied employment" because of affiliation or nonaffiliation with a labor union. The State Supreme Court ruled in 1958 that the law is applicable to public employees, including policemen.

In 1968 the State Supreme Court ruled that while municipal employees have the right to join unions, the city governments may not be required by the courts to recognize and bargain with employee unions. In a second case the court also decided that a union could present grievances to the city and that the city may voluntarily recognize a union.

A 1968 Attorney General opinion advised that there were no state laws prohibiting collective bargaining by state employees.

CURRENT SITUATION

There is a moderate amount of collective bargaining activity in Arkansas. There have been a number of recognition strikes; some have resulted in contracts. Mediation and arbitration has been rarely used to settle disputes. One strike in 1970 involving recognition of AFSCME by the Little Rock Water Works Commission lasted eight months and ended inconclusively. No strikes have been reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

Two bills were introduced into the 1971 legislature. One which would have provided firefighters the right to organize, bargain collectively, and binding arbitration of disputes passed the Senate but House did not consider. The other bill which would have covered all employees except police and fire was not acted upon.

CALIFORNIA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	15,717	2	19,953	1	27.0	5
Population per square mile	100.4	14	127.4	14		
Percent of population urban	86.4	4	90.9	2	33.6	7
Percent of population rural	13.6	48	9.1	50	-14.0*	50*
Per capita Personal income	$2,708	7/8	$4,426	9	63.4	46

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$347	4	$853	6	128.1	25
..from Federal Government	$46	23	$164	8	256.5	4
..from State & local sources	$328	3	$689	5	110.1	31
Per capita expenditures	$380	3	$841	7	121.3	26

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	370	5	447	19	20.8	51
Total State & local employees (Full time equivalent)	581,542	2	891,705	2	53.3	26
Average monthly income (Full time public employees)	$506	2	$883	2	74.5	23
Average monthly income (FT non-educational employees)	$488	2	$840	2	72.1	28

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	2	18	8	17	32	24
Workers involved	30	5,790	1,190	5,510	20,180	25,990
Mandays idle	680	27,500	25,700	13,740	53,750	338,420

* Computed on basis of actual numbers of population.

CALIFORNIA

LEGAL PROVISIONS

A 1959 statute covers local firefighters. Allows organization and discussion of grievances, wages, hours, and working conditions. Strikes are prohibited.

The Winton Act of 1965, amended in 1970 and 1971, covers school employees. Requires meeting and conferring with proportional representation council on wages, hours, conditions of employment, and objectives and other aspects of the educational program. Parties shall meet and confer on impasse procedures which may include fact finding. Employer administers act. No provisions for unfair practices or strikes.

The California Superior Court ruled in 1971 that Winton Act does not authorize schools to negotiate legally enforceable contracts with employee organizations.

The Meyers-Milias-Brown Act of 1968, amended in 1968, 1969, 1970 and 1971, covers local public employees. Requires meeting and conferring with representatives on wages, hours and conditions of employment. Mediator may be agreed upon to assist. Local agency may adopt procedures for recognition, impasse procedures, and other details. Department of Conciliation may assist in resolving/bargaining unit disputes. No provisions for unfair practices or strikes.

The California Court of Appeals ruled in 1970 that municipal employees lack the right to strike and that stoppages may be enjoined. The California Supreme Court declined to review the ruling.

In February, 1971, the Governor issued an Executive Order covering state civil service employees and nonacademic employees of the state colleges and University of California. Requires meeting and conferring on general salary adjustments, inequity adjustments, and benefits.

Effective December 1971, the MMB was amended and recodified to clarify coverage of state employees. Requires meeting and conferring with representatives (not exclusive) on wages, hours, and other terms and conditions of employment. No provisions for an administrative agency, impasses, unfair practices, or strikes.

CURRENT SITUATION

A high level of union activity and a large number of strikes have occurred in California. As of March, 1971, 37 of 58 counties and 17 of 36 cities over 75,000 have implemented the MMB Act by specific legislation of their own. Some have included binding arbitration as final impasse step. Despite statutory provisions for a meet and confer relationship, it appears that a substantial amount of collective bargaining is taking place.

CURRENT LEGISLATIVE ACTIVITY

A bill introduced into the 1971 legislature would provide collective bargaining rights for state civil service, state college and university employees. Bill provides for a commission, exclusive representation, and arbitration.

COLORADO

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	1,754	33	2,207	30	25.8	7
Population per square mile	16.9	41	21.3	40		
Percent of population urban	73.7	14	78.5	14	34.1*	6*
Percent of population rural	26.3	38	21.5	38	2.8*	20*
Per capita Personal income	$2,273	16	$3,816	20	67.9	41

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$347	9	$666	19	91.9	49
..from Federal Government	$54	16	$125	18	131.5	29
..from State & local sources	$292	5	$541	20	85.3	51
Per capita expenditures	$344	9	$641	22	86.3	49

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	379	3	484	9	27.7	45
Total State & local employees (Full time equivalent)	66,511	28	106,743	27	60.5	12
Average monthly income (Full time public employees)	$382	22	$655	21/22	71.5	28
Average monthly income (FT non-educational employees)	$349	20	$612	20	75.4	19

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	1	-	-	2	4
Workers involved	-	100	-	-	2,920	610
Mandays idle	-	200	-	-	23,170	2,780

* Computed on basis of actual numbers of population.

COLORADO

LEGAL PROVISIONS

The 1943 Labor Peace Act includes the state or any political subdivision which acquires or operates a mass transportation system. Provides for oollective bargaining with exclusive representative and for mediation and arbitration of impasses.

A 1961 Attorney General opinion to the University of Colorado stated that the Regents lack authority to formally recognize a union as exclusive bargaining representative or to enter into an agreement. However, employees may join lawful organizations and officials may confer with them concerning matters of wages and working conditions.

CURRENT SITUATION

Colorado has had a moderate amount of labor activity. A 1971 amendment to the Denver charter gives city and county firefighters the right to bargain collectively over wages, hours, and working conditions. Their first contract was based on comparable pay in 22 cities. Denver Board of Education has established, by resolution, procedures for union recognition and collective bargaining. State employees have recently won their first written agreement. Denver police and sheriffs officers are compaigning for community support for a charter amendment similar to that gained by the firefighters.

CURRENT LEGISLATIVE ACTIVITY

A public employee bargaining bill was introduced late in the 1971 legislative session but was not voted out of committee. A bill which would have abolished tenure for striking teachers also failed. Legislation sponsored by the Colorado Labor Council, AFL-CIO, failed in 1969 as did a similar bill in 1967.

CONNECTICUT

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	2,535	25	3,032	24	19.6	11
Population per square mile	517.5	5	623.6	5		
Percent of population urban	78.3	8	77.4	15	18.1*	28*
Percent of population rural	21.7	44	22.6	37	24.9*	3*
Per capita Personal income	$2,806	4	$4,856	2	73.1	34

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$278	28	$650	25	133.8	19
..from Federal Government	$26	49	$85	44	226.9	10
..from State & local sources	$252	18	$565	15	124.2	19
Per capita expenditures	$312	17	$678	15	117.3	29

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	289	36	371	47	28.4	43
Total State & local employees (Full time equivalent)	73,243	27	112,581	25	53.7	24
Average monthly income (Full time public employees)	$435	10	$775	6	78.2	11
Average monthly income (FT non-educational employees)	$384	12	$711	8/9	85.2	5

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	2	1	14	13	17
Workers involved	-	130	10	4,030	5,770	5,560
Mandays idle	-	250	30	12,500	13,770	32,600

* Computed on basis of actual numbers of population.

CONNECTICUT

LEGAL PROVISIONS

The Municipal Employee Relations Act of 1965, amended in 1969, covers local and non-certificated school employees. Requires collective bargaining with exclusive representative on wages, hours and other conditions of employment. State Board of Labor Relations determines units, conducts elections, hears unfair practices. State Board of Mediation and Arbitration provides mediation and arbitration of grievances and disputes over interpretation or application of an agreement and mediation, fact-finding, and arbitration (if requested by both parties) of negotiating impasses. Strikes are prohibited.

A 1964 statute, amended in 1967 and 1969, covers teachers. Requires negotiating with exclusive representative on salaries and other conditions of employment. There is no administrative agency. An ad hoc, tripartite arbitration panel may be appointed by the parties to resolve representation and negotiation impasse problems. State Board of Education provides mediation with recommendations. Strikes are prohibited.

CURRENT SITUATION

The Mediation Board reported 37 fact-finding, 34 mediation, and 120 arbitration cases in the public sector in FY 1969-70. GERR reported four strikes and a teacher boycott in 1970. There has been some organization of state employees even though they have no statutory right to negotiate.

CURRENT LEGISLATIVE ACTIVITY

The 1971 legislature considered three state employee and two teacher collective bargaining bills and an arbitration bill. None of the bills got out of committee.

DELAWARE

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	446	47	548	47	22.8	8
Population per square mile	225.6	10	276.5	8		
Percent of population urban	65.6	23	72.2	20	35.1*	5*
Percent of population rural	34.4	29	27.8	32	-0.6*	25*
Per capita Personal income	$2,758	5	$4,324	11	56.8	51

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$285	25	$692	12	142.8	12
..from Federal Government	$34	39	$88	39	158.8	20
..from State & local sources	$251	19	$604	8	140.6	10
Per capita expenditures	$336	11	$790	8	135.1	16

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	311	25	472	12	51.8	3
Total State & local employees (Full time equivalent)	13,876	48	25,844	47	86.2	3
Average monthly income (Full time public employees)	$377	26	$655	21/22	73.7	25
Average monthly income (FT non-educational employees)	$305	38	$609	21	99.7	1

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	1	1	-	2
Workers involved	-	-	180	210	-	720
Mandays idle	-	-	180	410	-	2,380

* Computed on basis of actual numbers of population.

DELAWARE

LEGAL PROVISIONS

A 1964 statute provides for the continuation of collective bargaining and other rights when mass transportation system taken over by public authority.

A 1968 statute covers employees of a Local Transportation Authority. Provides for collective bargaining and agreements on wages salaries, working conditions, health benefits, pensions and retirement allowances. Provides for binding arbitration of impasses by ad hoc tripartite arbitration board. Strikes are prohibited.

A 1969 statute covers teachers. Requires negotiating with exclusive representative on salaries, benefits, and working conditions (limited to physical facilities). Agreements must be for at least two years without reopeners. Binding arbitration is prohibited. There is no administrative agency. Either party may request ad hoc mediation or fact-finding (tripartite committee or individual) to resolve impasses. Mediation committee, but not fact-finding committee or individuals, is required to issue report of recommendations. Strikes are prohibited; recognition shall be revoked for two years and checkoff for one year. No provision for unfair practices.

A 1970 statute covers state and county employees and municipal employees at option of local governing body. Requires collective bargaining with exclusive representative on wages, hours, and other terms and conditions of employment and execution of written agreement. Department of Labor and Industry determines units (with advice of a separate Council), conducts elections, and provides mediation (except on matters of wages and salaries). Such impasses may also be submitted to tripartite arbitration. Strikes are prohibited; treated as misdemeanors. No provision for unfair practices.

CURRENT SITUATION

Level of union activity is moderate. Two strikes occurred in Wilmington in 1970. One involved municipal workers who struck despite court restraining order; the other involved school custodians. No strikes were reported in first half of 1971. A New Castle County agreement with AFSCME provides for a union shop and binding arbitration of grievances.

CURRENT LEGISLATIVE ACTIVITY

There is no formal study committee activity at the present time.

DISTRICT OF COLUMBIA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	764	40	757	41	-1.0	48
Population per square mile	12,524	1	12,402	1		
Percent of population urban	100	1	100	1	-1.0*	49*
Percent of population rural		51		51	.0*	26*
Per capita Personal income	$3,021	1	$5,387	1	78.3	19

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$336	11	$953	2	183.6	2
..from Federal Government	$81	3	$359	1	343.2	1
..from State & local sources	$255	16	$594	9	132.9	14
Per capita expenditures	$353	7	$1,007	3	185.3	2

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	328	20	643	1	96.0	1
Total State & local employees (Full time equivalent)	29,059	38	48,677	37	67.5	10
Average monthly income (Full time public employees)	$494	3	$753	9	52.4	51
Average monthly income (FT non-educational employees)	$462	3	$755	4	63.4	42

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	1	2	1	2
Workers involved	-	-	20	8,350	40	2,090
Mandays idle	-	-	20	8,560	40	10,050

* Computed on basis of actual numbers of population.

DISTRICT OF COLUMBIA

LEGAL PROVISIONS

A Commissioner's Executive Order effective in 1970 covers all district employees under the Mayor. Requires collective bargaining with exclusive representative on terms and conditions of employment. D. C. Personnel Officer determines units, certifies results of elections, reviews unfair practice charges, provides mediation of impasses, approves agreements. Board of Labor Relations resolves unit determination, representation problems, and scope of bargaining problems, hears unfair practices, and provides factfinding and binding arbitration (agreeable in advance) of impasses. Strikes are prohibited.

CURRENT SITUATION

The District has 18,000 employees represented by unions. Thirty-five exclusive bargaining units have been established under the present procedures; fourteen additional units still have "formal" recognition under a grandfather clause. Only one representation problem has gone to the Board for resolution.

CURRENT LEGISLATIVE ACTIVITY

There is no formal study committee activity; however, management is assessing experinece and problems under the Executive Order and plans to propose modifications.

FLORIDA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	4,952	10	6,789	9	37.1	2
Population per square mile	91.3	18	125.5	15		
Percent of population urban	73.9	13	80.5	10	49.3*	3*
Percent of population rural	26.1	39	19.5	42	2.4*	22*
Per capita Personal income	$1,948	32	$3,642	27	87.0	13

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$269	30	$527	37/38	95.9	43
..from Federal Government	$ 37	37	$ 59	50	86.5	48
..from State & local sources	$232	29	$458	34	97.4	42
Per capita expenditures	$283	29	$528	42	86.6	48

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	334	17	434	22	29.9	29
Total State & local employees (Full time equivalent)	165,350	9	294,845	8	78.3	5
Average monthly income (Full time public employees)	$344	33	$636	24	84.9	2
Average monthly income (FT non-educational employees)	$308	37	$562	27	82.5	7

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	3	2	6	6	7	8
Workers involved	680	260	4,720	27,200	790	1,140
Mandays idle	2,550	1,540	25,000	354,000	2,300	3,520

* Computed on basis of actual numbers of population.

FLORIDA

LEGAL PROVISIONS

A 1959 statute prohibits public employees from striking or belonging to organizations that assert the right to strike. An Attorney General Opinion (No. 059-164) states that this law gives government employees the limited right to join and be represented by unions whose constitutions do not assert the right to strike.

Three 1969 statutes provide bargaining rights for some public employees. One act grants firefighters in Dade, Duvall, and Hillsboro Counties the right to organize and negotiate through an exclusive representative and provides compulsory, advisory arbitration of impasses. A similar law applies to teachers in Hillsboro County. A third statute authorizes administrators and supervisors in Palm Beach County schools to participate in an organization limited to supervisors but prohibits membership in a teacher's group.

The Florida Supreme Court ruled in July 1969, that a state constitution adopted in 1968 gave all public employees the right to organize and bargain collectively through a nonexclusive representative, but not to strike. The court further commented: "In the sensitive area of labor relations between public employees and public employers, it is requisite that the legislature enact appropriate legislation setting out standards and guidelines and otherwise regulate the subject within (constitutional limits)."

In an executive order issued in 1970, Governor Kirk decreed that "no agency of state government or any officer or employee of the state shall have the authority to negotiate or bargain with any labor organization." At the same time, he served notice that he would veto any bargaining measure.

Executive order no. 71-20 issued by Governor Askew continues the prohibition "pending approval of legislation setting forth guidelines for collective bargaining . . ."

Dade County, Jacksonville, St. Petersburg, and Miramar have established local labor relations ordinances.

CURRENT SITUATION

There is a moderate amount of collective bargaining activity and indications that the level of such activity is increasing. De facto recognition and bargaining has occurred for several years despite uncertainty over legal status. A Fort Lauderdale sanitation worker strike in 1971 occurred over recognition problems.

CURRENT LEGISLATIVE ACTIVITY

Two comprehensive bills which would have provided bargaining for all public employees failed to clear committee. One of the bills was recommended by the Governor; the other was similar to a bill developed by a 1970 legislative subcommittee. A firefighters bill passed the Senate but failed in the House.

GEORGIA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,943	16	4,590	15	16.4	18
Population per square mile	67.7	25	79.0	25		
Percent of population urban	55.3	34	60.3	34	27.0*	14*
Percent of population rural	44.7	18	39.7	18	3.3*	16/17*
Per capita Personal income	$1,640	43	$3,332	35	103.2	4

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$222	42	$522	40	135.1	16
..from Federal Government	$ 43	31	$ 99	31	130.2	30
..from State & local sources	$179	42	$423	41	136.3	13
Per capita expenditures	$222	43	$547	38	146.4	8

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	297	29	432	24	45.5	7
Total State & local employees (Full time equivalent)	117,016	13	198,291	12	69.5	8
Average monthly income (Full time public employees)	$284	48/49	$535	46	88.4	1
Average monthly income (FT non-educational employees)	$266	47	$482	45	81.2	9

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	6	2	2	3	4
Workers involved	10	1,570	460	950	610	2,690
Mandays idle	40	9,650	3,090	6,550	3,650	31,640

* Computed on basis of actual numbers of population.

GEORGIA

LEGAL PROVISIONS

A 1954 statute which prohibited policemen from belonging to a labor union was challenged by the Fraternal Order of Police and declared unconstitutional by the Federal District Court in Atlanta in February, 1971.

A 1962 statute prohibits strikes by public employees.

A 1968 statute providing for public employee bargaining in Chatham County (Savannah) was declared unconstitutional.

In 1970, Georgia Supreme Court held that collective bargaining for state employees violates public policy.

A 1971 Fire Fighter's Mediation Act covers municipalities over 20,000 which opt to be covered. Requires collective bargaining with exclusive representative on wages, hours, working conditions and other terms and conditions of employment. Provides for ad hoc, tripartite "mediation board" which conducts hearings and issues written recommendations. Strike prohibition must be included in written contract.

CURRENT SITUATION

A limited amount of de facto recognition and bargaining has occurred primarily in the larger metropolitan areas. Atlanta passed an ordinance bringing their firefighters under the 1971 act but later rescinded it. Sanitation workers struck in Atlanta and Decanter in 1970. In first half of 1971, two strikes were reported in Atlanta; one over unilateral rescission of AFSCME checkoff and a sick-in of cafeteria workers over wages.

CURRENT LEGISLATIVE ACTIVITY

A bargaining proposal by a subcommittee of the Georgia Bar Association's Labor Law Section failed to get out of committee. A comprehensive meet and confer bill is presently in committee for consideration by the 1972 legislature.

HAWAII

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	633	44	769	40	21.5	10
Population per square mile	98.6	16	119.6	16		
Percent of population urban	76.5	9	83.1	7	32.0*	10*
Percent of population rural	23.5	43	16.9	45	12.7*	49*
Per capita Personal income	$2,369	11	$4,527	7	91.1	10

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$350	8	$883	5	152.3	5
..from Federal Government	$ 69	9	$189	5	173.9	14
..from State & local sources	$281	7	$695	3	147.3	5
Per capita expenditures	$369	5	$1,039	2	181.6	3

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	331	19	496	7	49.8	4
Total State & local employees (Full time equivalent)	20,934	45	38,157	40	82.3	4
Average monthly income (Full time public employees)	$449	6/7	$792	5	76.4	18
Average monthly income (FT non-educational employees)	$444	4	$788	3	77.5	17

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	-	1	1
Workers involved	-	-	-	-	2,000	2,000
Mandays idle	-	-	-	-	4,000	6,000

* Computed on basis of actual numbers of population.

HAWAII

LEGAL PROVISIONS

A 1970 comprehensive bargaining statute covers all public employees. Requires collective bargaining with exclusive representative on wages, hours, and other terms and conditions of employment. Statute specifies bargaining units. Public Employment Relations Board administers statute, conducts elections, hears unfair practices, provides mediation and fact-finding of impasses. Parties may agree to tripartite, binding arbitration, or employees may strike sixty days following fact-finders recommendations. PERB determines strike requirements to avoid danger to public health or safety. Statute permits binding arbitration of grievances and mandates agency shop.

CURRENT SITUATION

Following passage of the bargaining statute, the Hawaii Government Employees Association (20,000 members) and the United Public Workers of Hawaii (8,000 members) have voted to affiliate with AFSCME. AFSCME affiliates have won elections to represent 7,000 blue-collar supervisory employees. NEA affiliate won election to represent 9,500 teachers.

CURRENT LEGISLATIVE ACTIVITY

No data available.

IDAHO

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	667	43	713	43	6.8	36
Population per square mile	8.1	46	8.6	46		
Percent of population urban	47.5	41	54.1	39	21.6*	22*
Percent of population rural	52.5	11	45.9	13	- 6.6*	39*
Per capita Personal income	$1,850	36	$3,240	38	75.1	29

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$289	24	$566	33	95.8	44
..from Federal Government	$ 59	14	$116	25	96.6	46
..from State & local sources	$229	31	$450	35	96.5	45
Per capita expenditures	$284	28	$591	31	108.1	36

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	333	18	455	16	36.6	27
Total State & local employees (Full time equivalent)	22,210	44	32,396	43	45.9	35
Average monthly income (Full time public employees)	$348	31	$543	45	56.0	49
Average monthly income (FT non-educational employees)	$337	25	$510	39/40	51.3	49

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	1	1	-	-	-
Workers involved	-	230	510	-	-	-
Mandays idle	-	230	510	-	-	-

* Computed on basis of actual numbers of population.

IDAHO

LEGAL PROVISIONS

A 1959 Attorney General Opinion states that municipalities have the power to enter into collective bargaining agreements if they desire to do so and if no local ordinance forbids it.

A 1970 statute covers firefighters. Requires collective bargaining with exclusive representative on wages, working conditions, and other terms and conditions of employment. Provides for ad hoc, tripartite fact finding commission to submit recommendations to resolve impasses. Strikes are prohibited during the term of a written agreement. No provisions for an administrative agency or unfair labor practices.

A 1971 act covers teachers. Requires meeting and conferring with exclusive representative. Ad hoc mediation shall be used and fact-finding may be used to resolve impasses. No provision for an administrative agency, unfair practices, or strikes.

CURRENT SITUATION

Union activity is apparently modest. Pocatello recognized Laborers' International Union and entered into state's first municipal collective bargaining agreement in 1970. Firefighters in three cities now have contracts. No strikes have been reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

A bill supported by AFL-CIO which would have covered all public employees failed to move out of committee. An Idaho State Employee Association bill was entered in Senate but was not printed; they plan to resubmit to 1972 legislature.

ILLINOIS

STATE POPULATION DATA						
	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	10,081	4	11,114	5	10.2	27
Population per square mile	180.3	11	199.4	11		
Percent of population urban	80.7	7	83.0	8	13.4*	35*
Percent of population rural	19.3	45	17.0	44	-2.9*	29/30*
Per capita Personal income	$2,649	9	$4,502	8	70.0	38

STATE GOVERNMENT ECONOMIC DATA						
Per capita revenues	$273	29	$658	22	141.0	15
..from Federal Government	$ 36	38	$ 94	34	161.1	18
..from State & local sources	$237	26	$564	16	138.0	11
Per capita expenditures	$287	27	$603	29	110.1	34

PUBLIC EMPLOYMENT DATA						
Employees per 10,000 inhabitants (Full time equivalent)	280	43	396	38	41.4	15
Total State & local employees (Full time equivalent)	281,847	5	440,225	4	56.2	18
Average monthly income (Full time public employees)	$459	5	$772	7	68.2	36
Average monthly income (FT non-educational employees)	$436	5	$709	10	62.6	43

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT						
	1965	1966	1967	1968	1969	1970
No. of stoppages	3	11	18	22	35	41
Workers involved	190	4,170	4,810	10,400	24,390	7,490
Mandays idle	1,910	17,300	57,800	57,900	87,250	78,130

* Computed on basis of actual numbers of population.

ILLINOIS

LEGAL PROVISIONS

A 1945 act authorizes the Chicago Transit Authority to continue the collective bargaining procedures employed when the transit system was privately owned.

A 1951 act authorizes the University Civil Service System to negotiate with organizations representing nonacademic employees on wages and other conditions of employment.

A 1951 statute provides compulsory arbitration for disputes involving firemen in municipalities over 5,000.

In 1955, the State Director of Personnel was authorized to negotiate concerning pay, hours, or other conditions of employment subject to State Personnel Code.

A 1961 statute authorized voluntary checkoff of union dues for state employees.

A 1962 Attorney General Opinion ruled that the labor arbitration act could not be applied to controversies between municipal corporation and public employees.

A 1963 measure permitted local governmental agencies to authorize the voluntary checkoff of union dues.

A 1965 decision of the Illinois Supreme Court held that public employees have neither the right to strike nor the right to picket, when such picketing impedes or obstructs a vital and important government function.

In a 1966 case, the Circuit Court of Cook County ruled that the Chicago Board of Education did not need legislative authority to enter into collective bargaining with a sole bargaining agency selected by the teachers, provided non-members could present grievances and the union agreed not to strike and to make the benefits of bargaining available to all teachers in the bargaining unit.

In 1968, the Illinois Appellate Court held that a lower court exceeded it authority by ordering, in the absence of legislative enactment, that a representation election be held.

In 1970, the Illinois Supreme Court ruled that "no restraining order or injuction shall be granted by any court in this state . . . in any case involving or growing our of a dispute concerning terms or conditions of employment."

CURRENT SITUATION

A high level of union activity and a large number of strikes have occurred in Illinois. Problems of recognition and representation have been common in the absence of statutory guidelines. Nevertheless, a substantial amount of real collective bargaining is taking place. State universities are bargaining with their nonacademic employees under authority of the University Personnel Code.

CURRENT LEGISLATIVE ACTIVITY

Comprehensive bills which would provide public employee bargaining rights failed to pass the state legislature in 1967 and 1968. The Legislative Commission on Labor Laws has drafted a comprehensive bill for the 1971 legislature.

INDIANA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	4,662	11	5,194	11	11.4	25
Population per square mile	128.9	13	143.9	13		
Percent of population urban	62.4	27	64.9	30	15.9*	31*
Percent of population rural	37.6	25	35.1	22	4.0*	14*
Per capita Personal income	$2,188	21	$3,781	21	72.8	35

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$248	38	$527	37/38	112.5	33
..from Federal Government	$30	45	$66	51	120.8	39
..from State & local sources	$219	36	$461	33	110.5	30
Per capita expenditures	$256	38	$516	45	101.6	44

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	291	35	383	42	31.6	35
Total State & local employees (Full time equivalent)	135,555	11	199,007	11	46.8	33
Average monthly income (Full time public employees)	$397	17	$634	25/26	59.7	46
Average monthly income (FT non-educational employees)	$311	34	$501	42	61.1	46

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	2	2	4	9	14	9
Workers involved	330	120	2,360	1,520	17,460	3,790
Mandays idle	1,350	960	4,420	14,900	35,400	49,390

* Computed on basis of actual numbers of population.

INDIANA

LEGAL PROVISIONS

Indiana has no statute relating to collective bargaining for public employees.

In 1966, Indiana University established a policy similar to EO 10988 providing for recognition of employee representatives, collective presentation of their views, and arbitration of grievances.

In 1967, St. Joseph's Superior Court ruled that strikes of public school teachers are illegal.

A 1969 Attorney General Opinion, affirming previous opinions dating back to 1944, held that public officials could establish informal procedures for their views, and arbitration of grievances.

The Indiana Supreme Court has ruled a teachers' union in contempt of court for picketing schools in violation of a restraining order. The court said the Indiana anti-injunction law is not applicable to disputes concerning public employees. (Teachers v. School City of Anderson, 72 LRRM 2466)

CURRENT SITUATION

A considerable amount of collective bargaining is occurring despite the AG Opinions limiting such activity. The Indiana Commission on General Education has recently adopted a formal policy refusing to participate in any role in local negotiations. No strikes have been reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

A statute which would have provided collective bargaining failed to pass in the 1969 legislature. In 1971, AFSCME, FOP, IAFF, AFT and Indiana State Teachers Association endorsed a bill sponsored by Representative Michael K. Rogers, Chairman, House Labor Committee, which passed both the House and Senate but died in a conference committee. This bill, apparently influenced by a similar bill developed by the Indiana Association of Cities and Towns, provided for resolution of disputes by a final offer selection panel.

IOWA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	2,758	24	2,824	25	2.4	44
Population per square mile	49.2	29	50.5	30	-	-
Percent of population urban	53.0	37	57.2	37	10.5*	43*
Percent of population rural	47.0	15	42.8	15	-6.7*	40*
Per capita Personal income	$1,987	30	$3,688	26	85.6	14

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$290	22	$636	26	119.3	29
..from Federal Government	$45	27	$90	38	100.0	45
..from State & local sources	$245	23	$546	19	122.9	21
Per capita expenditures	$294	24	$644	21	119.0	28

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	314	23	432	23	37.6	24
Total State & local employees (Full time equivalent)	86,646	23	122,551	23	41.4	43
Average monthly income (Full time public employees)	$356	30	$630	27/28	77.0	15
Average monthly income (FT non-educational employees)	$329	27	$534	30	62.3	44

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	1	1	3	4	4
Workers involved	-	30	860	180	690	380
Mandays idle	-	60	4,430	520	5,100	820

* Computed on basis of actual numbers of population.

IOWA

LEGAL PROVISIONS

Iowa has no statute relating to collective bargaining for public employees.

A 1961 Attorney General Opinion advised that State employees may organize and join a labor union but the State or its agency or subdivision does not have to recognize the union for bargaining purposes, nor may it be forced or coerced to do so by union action.

In February 1970, the State supreme court held that in the absence of such legislation, it is within the voluntary prerogative of public employers both to "confer and consult with" employee organizations about wages, working conditions, and grievances and to enter into binding contracts, provided that exclusive representation status is not granted.

CURRENT SITUATION

A 1970 survey of municipalities over 2,000 conducted by the Center for Labor and Management, University of Iowa showed a moderate level of union activity. Only 27 of 118 indicated having an employee organization. Only about half of the employee organizations actually negotiated. Three municipalities reported some type of work stoppage.

CURRENT LEGISLATIVE ACTIVITY

In 1970, a Governor's Collective Bargaining Study Committee recommended comprehensive legislation covering all public employees and granting a limited right to strike. Two comprehensive statutes were introduced into the 1971 legislature, but none was passed. One would have provided a limited right to strike. Similar legislation had also failed in the 1970 legislature.

KANSAS

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	2,179	28	2,247	28	3.1	42
Population per square mile	26.6	38	27.5	38	-	-
Percent of population urban	61.0	30	66.1	27	11.8*	39/40*
Percent of population rural	39.0	22	33.9	25	-10.4*	46*
Per capita Personal income	$2,158	23	$3,823	19	77.2	24

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$303	20	$607	28	100.3	41
..from Federal Government	$44	28	$96	33	118.2	40
..from State & local sources	$259	14	$511	27	97.3	43
Per capita expenditures	$291	25	$608	27	108.9	35

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	358	9	470	13	31.3	38
Total State & local employees (Full time equivalent)	77,951	24	105,792	28	35.7	49
Average monthly income (Full time public employees)	$342	34/35	$580	38	69.6	32
Average monthly income (FT non-educational employees)	$309	36	$512	38	65.7	37

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	2	-	2	2	2
Workers involved	-	30	-	70	450	230
Mandays idle	-	90	-	270	950	1,190

* Computed on basis of actual numbers of population.

KANSAS

LEGAL PROVISIONS

A 1970 statute covers teachers. Requires meeting, conferring, consulting and discussing with exclusive representative on terms and conditions of professional service. State Board of Education approves units and conducts elections. Strikes are not approved. No provisions for impasse or unfair practice procedures.

A 1971 statute, effective 3/72, covers all public employees except teachers. Local agencies may elect to be covered. Requires meeting and conferring with exclusive representative on conditions of employment (defined and limited by statute). Public Employee Relations Board administers statute, determines units, conducts elections, provides mediation, fact-finding, and arbitration, hears unfair practices. Arbitration may be binding at option of parties. Strikes are prohibited; treated as unfair practice.

CURRENT SITUATION

Level of union activity appears to be moderate. Activity under the teacher statute has been slow partly because the State Board of Education was not funded or staffed to administer the statute and partly because of confusion over interpretation of the law. No strikes were reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

State Senate President Pro Tem and head of budget committee has said that new law is unworkable as it applies to state employees. Committee will have separate legislation for state employees for consideration by 1972 legislature. Two new teacher bills are being considered by the 1971 legislature; one would provide impasse procedures now missing in current law. Both would provide for binding arbitration of grievances.

KENTUCKY

STATE POPULATION DATA						
	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,038	22	3,219	23	5.9	38
Population per square mile	76.2	22	81.2	22	-	-
Percent of population urban	44.5	42	52.3	41	24.4*	18*
Percent of population rural	55.5	10	47.7	11	-8.9*	44*
Per capita Personal income	$1,576	45	$3,073	44	95.0	8

STATE GOVERNMENT ECONOMIC DATA						
Per capita revenues	$192	51	$508	45	164.6	3
..from Federal Government	$45	25	$116	24	157.8	21
..from State & local sources	$147	51	$392	44	166.7	2
Per capita expenditures	$198	48	$534	41	169.7	4

PUBLIC EMPLOYMENT DATA						
Employees per 10,000 inhabitants (Full time equivalent)	246	51	356	50	44.7	9
Total State & local employees (Full time equivalent)	74,751	25	114,712	24	53.5	25
Average monthly income (Full time public employees)	$328	42	$571	39	74.1	24
Average monthly income (FT non-educational employees)	$296	41	$510	39/40	72.3	27

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT						
	1965	1966	1967	1968	1969	1970
No. of stoppages	2	5	4	2	7	6
Workers involved	140	25,800	1,130	90	880	20,270
Mandays idle	3,750	26,400	13,100	410	1,800	125,220

* Computed on basis of actual numbers of population.

KENTUCKY

LEGAL PROVISIONS

Kentucky has no statute relating to collective bargaining for public employees.

A 1964 Attorney General Opinion concerning the City of Louisville's ordinance permitting collective bargaining states that negotiated contracts are unenforceable because city cannot delegate its legislative authority.

A 1965 Attorney General Opinion stated that a school board has the exclusive authority to determine unilaterally, without surrender of any of its authority, the extent to which it may legally go in meeting the proposals presented to it in the bargaining negotiations.

In 1970, Kentucky Court of Appeals ruled in Jefferson Co. Teachers Assn. v. Board of Education of Jefferson Co. (75 LRRM 2486) that public school teachers do not have the right to strike.

CURRENT SITUATION

Kentucky has had considerable labor difficulties, particularly with teachers. Louisville has a local public employee bargaining ordinance which has resulted in the recognition of six employee organizations. The Louisville school board has established impasse procedures involving a mediation panel and appeals to the state school superintendent. The metropolitan area near Cincinnati has been organized and bargaining for a number of years. There was a state wide teachers strike in 1970. No strikes have been reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

The last regular session of the legislature in 1970 considered several public employee bargaining bills, but none was passed. The State Attorney General has expressed considerable interest in developing a study committee, and some interest groups hope to reintroduce the previous bills into the 1972 legislature.

LOUISIANA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,257	20	3,641	20	11.8	22
Population per square mile	72.2	24	81.0	24		
Percent of population urban	63.3	25	66.1	28	16.8*	30*
Percent of population rural	36.7	27	33.9	24	3.2*	18*
Per capita Personal income	$1,656	42	$3,049	45	84.1	15

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$309	17	$583	31	88.7	51
..from Federal Government	$64	13	$120	22	87.5	47
..from State & local sources	$245	24	$463	32	89.0	49
Per capita expenditures	$323	16	$565	34	74.9	51

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	350	12	438	20	25.1	49
Total State & local employees (Full time equivalent)	114,136	15	159,731	20/21	39.9	45
Average monthly income (Full time public employees)	$336	38	$551	41	64.0	45
Average monthly income (FT non-educational employees)	$292	43	$506	41	73.3	23

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	3	2	1	4	5	3
Workers involved	510	390	400	1,140	3,000	1,250
Mandays idle	990	1,140	2,400	4,540	15,000	2,110

* Computed on basis of actual numbers of population.

LOUISIANA

LEGAL PROVISIONS

With the exception of public transit employees, Louisiana has no statute covering public service employees.

Under a 1964 law, public transit systems are required to bargain collectively with employees, draft a written contract and to resolve unsuccessful negotiations through arbitration.

A 1966 law permits check-off authorization for public employees.

In a written opinion to the Superintendent of Schools of Bogalusa, Louisiana, dated July 30, 1969, the State Attorney General stated in part that . . . "school boards of the various parishes are empowered to engage in (collective bargaining) contracts" and "the courts in the state have recognized the authority of public bodies to enter into collective bargaining agreements with employees."

CURRENT SITUATION

In the same opinion referenced above, the State Attorney General mentioned that there exists in the state "45 written and verbal agreements between political subdivisions and labor unions, including teacher unions." The International Brotherhood of Police Officers have been actively organizing the policemen of New Orleans, Schreveport and Monroe. Bogalusa school system granted a modified union shop in bargaining with AFSCME representing custodial and lunchroom employees.

CURRENT LEGISLATIVE ACTIVITY

Labor efforts to secure passage of a mandatory compulsory bargaining law, particularly for firemen, have been defeated twice, once in 1968 and again in 1970. The latest bill would have mandated arbitration and authorized strikes. In December, 1970, the Bureau of Governmental Research recommended that the City of New Orleans adopt formal policies to guide management-employee relationships, either through an executive order or through a municipal relations ordinance.

MAINE

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	969	36	992	38	2.4	45
Population per square mile	31.3	37	32.1	37		
Percent of population urban	51.3	39	50.8	42	1.4*	48*
Percent of population rural	48.7	13	49.2	10	3.3*	16/17*
Per capita Personal income	$1,842	37/8	$3,257	37	76.8	25

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$263	31	$545	35	107.2	37
..from Federal Government	$44	29	$100	30	127.3	34
..from State & local sources	$219	35	$445	36	103.2	37
Per capita expenditures	$256	37	$552	36	115.6	31

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	296	30/31	412	31	39.2	23
Total State & local employees (Full time equivalent)	28,671	39	40,888	39	42.6	41
Average monthly income (Full time public employees)	$325	43	$549	43	68.9	35
Average monthly income (FT non-educational employees)	$304	39/40	$525	35/36	72.7	26

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	1	-	1	1
Workers involved	-	-	20	-	280	100
Mandays idle	-	-	20	-	280	500

* Computed on basis of actual numbers of population.

MAINE

LEGAL PROVISIONS

A 1968 statute, amended in 1970, covers state employees. Establishes State Employees Appeals Board to resolve grievances (excluding classification and compensation). Employee may be represented.

A 1969 Municipal Public Employees Labor Relations Act, amended in 1970, covers local employees including teachers. Requires collective bargaining with exclusive representative on wages, hours, working conditions and contract grievance arbitration. (Teachers may also meet and consult on educational policies). Commissioner of Labor and Industry determines units, conducts elections; Public Employees Labor Relations Appeal Board hears unit determination and recognition appeals. Impasses may be resolved by: (1) mediation (source unspecified), (2) fact-finding with recommendations provided by Board of Arbitration and Conciliation, (3) other mutually acceptable fact-finding procedure, (4) fact-finding board appointed by Commissioner of Labor and Industry (either party may make recommendations public), (5) binding arbitration, or (6) tripartite arbitration board whose recommendations are advisory on salaries, pensions, and insurance and binding on all other issues. Unfair practices are enjoinable; strikes are treated as unfair practice.

CURRENT SITUATION

There are 34 teacher aggrements and 40 contract agreements in effect. Mediation services were used 110 days and there was one arbitration case in 1970. No strikes have been reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

In 1971, the Maine Education Council, as charged by the legislature, recommended extending collective bargaining rights to faculty and other professional and nonprofessional employees of public higher education institutions in the state. They also advocated creating an independent Employment Relations Commission and a limited right to strike. A bill sponsored by the Governor which would have clarified inconsistencies was defeated in the 1971 legislature. A bill sponsored by the Department to establish a PERB passed but was not funded. Two bills to except principals and assistant principals were defeated. And two bills to provide collective bargaining for state and state college employees were referred to committee.

MARYLAND

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,101	21	3,922	18	26.5	6
Population per square mile	314.0	7	396.6	6		
Percent of population urban	72.7	17	76.6	16	33.3*	8*
Percent of population rural	27.3	35	23.4	36	8.5*	9*
Per capita Personal income	$2,342	13	$4,255	12	81.7	17

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$262	33	$677	16	158.4	4
..from Federal Government	$26	50	$91	37	250.0	5
..from State & local sources	$236	27	$586	11	148.3	3
Per capita expenditures	$269	33	$672	18	149.8	6

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	294	34	411	33	39.8	19
Total State & local employees (Full time equivalent)	91,258	22	161,248	19	76.7	6
Average monthly income (Full time public employees)	$409	16	$727	15	77.8	13
Average monthly income (FT non-educational employees)	$354	18	$668	12	88.7	2

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	-	2	3	5	6
Workers involved	140	-	1,350	4,980	3,710	1,370
Mandays idle	710	-	2,480	22,200	8,640	23,590

* Computed on basis of actual numbers of population.

MARYLAND

LEGAL PROVISIONS

A 1969 statute, amended in 1971, covers teachers. Requires negotiating with exclusive representative on salaries, wages, hours and other working conditions. The State Board of Education conducts elections. With consent of both parties, State Board of Education or an ad hoc tripartite panel may mediate impasses (panel may issue recommendations). Agreements may provide for binding arbitration of grievances. Employee organization is prohibited from calling or directing a strike. No provision for unfair practices.

The City of Balitmore has a comprehensive ordinance providing for collective negotiations for local employees.

CURRENT SITUATION

Union activity has been extensive despite the lack of statutory guidelines. The Maryland Classified Employees Association, claiming 20,000 members among state employees, recently voted by two-to-one margin to drop its bar on strikes. Maryland has experienced work stoppages and disputes involving, among others, school teachers, sanitation workers firemen, policemen, social workers, and laborers. They have also experienced the nations longest public employee strike of 227 days.

CURRENT LEGISLATIVE ACTIVITY

The 1971 amendment to the teacher statute resulted from a bill drafted by a legislative study committee. A 1968 Governor's Task Force on Public Employee Labor Relations recommended a comprehensive collective bargaining statute for all public employees which did not pass. As a result of a recent charter amendment, Prince George's County is presently drafting comprehensive collective bargaining procedures for their employees.

MASSACHUSETTS

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	5,149	9	5,689	10	10.5	26
Population per square mile	654.5	4	727.0	4		
Percent of population urban	83.6	6	84.6	6	11.8*	39/40*
Percent of population rural	16.4	46	15.4	46	3.9*	15*
Per capita Personal income	$2,457	10	$4,360	10	77.5	23

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$295	21	$675	17	128.8	24
..from Federal Government	$32	43	$107	27	234.4	7
..from State & local sources	$264	12	$568	14	115.2	28
Per capita expenditures	$297	23	$688	14	131.6	20

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	320	21	401	36	25.3	48
Total State & local employees (Full time equivalent)	164,795	10	227,862	10	38.3	48
Average monthly income (Full time public employees)	$394	19	$716	16	81.7	6
Average monthly income (FT non-educational employees)	$368	17	$688	11	87.0	3

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	5	4	6	12
Workers involved	-	-	960	860	1,370	7,340
Mandays idle	-	-	1,300	1,490	3,980	34,320

* Computed on basis of actual numbers of population.

MASSACHUSETTS

LEGAL PROVISIONS

A 1965 statute, amended in 1970, covers state employees. Requires collective bargaining with exclusive representative on wages, hours, and working conditions. The Labor Relations Commission resolves issues on appropriate units, conducts elections, and hears unfair practices. Director of Personnel and Stabilization provides fact finders to resolve impasses. Strikes are prohibited.

A 1965 statute, amended in 1970, covers local employees, including teachers. Provisions similar to above except State Board of Conciliation and Arbitration provides fact finders who may also mediate the dispute.

A 1969 statute authorizes agency shop agreements in Boston and Suffolk County.

A 1970 statute authorizes local employers to deduct agency service fees on a voluntary basis.

CURRENT SITUATION

Labor activity has been high, especially among teachers. For FY 1969-70 the Labor Relations Commission reported handling 114 elections, 31 unfair labor practice hearings, and 18 bargaining unit determinations.

CURRENT LEGISLATIVE ACTIVITY

The 1971 legislature is considering a bill to increase public employee bargaining rights, but it received an unfavorable committee recommendation and is not expected to pass. A study committee is presently considering the situation.

MICHIGAN

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	7,823	7	8,875	7	13.4	20
Population per square mile	137.2	12	156.2	12		
Percent of population urban	73.4	16	73.8	18	14.2*	33*
Percent of population rural	26.6	36	26.2	34	11.4*	5*
Per capita Personal income	$2,324	15	$4,059	13	74.7	32

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$289	23	$667	18	130.8	22
..from Federal Government	$28	47	$92	35	228.6	9
..from State & local sources	$260	13	$575	12	121.2	22
Per capita expenditures	$302	21	$677	16	124.2	24

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	307	27	404	35	31.6	37
Total State & local employees (Full time equivalent)	239,845	7	358,606	7	49.5	30
Average monthly income (Full time public employees)	$464	4	$821	3	76.9	16
Average monthly income (FT non-educational employees)	$422	6	$735	6	74.2	21

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	27	34	42	69	59
Workers involved	120	8,110	28,900	9,570	19,040	13,800
Mandays idle	480	28,900	242,000	69,000	158,620	135,470

* Computed on basis of actual numbers of population.

MICHIGAN

LEGAL PROVISIONS

In 1964, State Civil Service Commission adopted employee representation policy which provides for exclusive representative to confer with CSC and represent members in grievances. CSC rules also provide for dismissal of employees who participate in a strike or other job action.

The Public Employment Relations Act of 1965, amending the 1947 Hutchinson Act, covers all public employees except state classified service. Requires collective bargaining with exclusive representative on wages, hours, and conditions of employment. Employment Relations Commission administers statute, determines units, conducts elections, provides mediatio and fact finding of impasses, hears unfair practices. Strikes are prohibited.

A 1969 statute authorizes arbitration for police and fire disputes. Decision of tripartite arbitration panel is final and binding if supported by competent, material and substantial evidence. Act expires on June 30, 1972.

CURRENT SITUATION

There is a high level of union activity in Michigan. PERA covers about 250,000 public employees; approximately 3,000 collective bargaining agreements are in force. For FY 1969-70, MERC reported 402 representation cases, 177 unfair labor practices, 460 cases were closed through mediation, 135 went to fact finding (up 155%), and there were 57 police/fire arbitration cases in first ten months of new statute. There were 64 public employee strikes (up 64%); 52 involved school professionals.

CURRENT LEGISLATIVE ACTIVITY

A 1967 governors study committee proposed establishing a separate Commission on Public Employee Relations to handle disputes in the public sector. A supplementary report in 1968 reiterated their recommendation. There have been no reports of further study committee activity. The 1971 legislature considered no pertinent legislation.

MINNESOTA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,414	18	3,805	19	11.5	24
Population per square mile	42.7	32	48.0	31		
Percent of population urban	62.2	29	66.4	26	19.1*	24/25*
Percent of population rural	37.8	23	33.6	26	-1.1*	27*
Per capita Personal income	$2,114	26	$3,824	18	80.9	18

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$312	15	$680	14	117.9	31
..from Federal Government	$42	32	$106	29	152.4	23
..from State & local sources	$270	11	$574	13	112.6	29
Per capita expenditures	$329	14	$728	10	121.3	27

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	311	24	425	25	36.7	26
Total State & local employees (Full time equivalent)	106,325	18	161,716	18	52.1	27
Average monthly income (Full time public employees)	$424	12	$748	11	76.4	17
Average monthly income (FT non-educational employees)	$381	14	$640	17	68.0	33

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	1	-	-	2	1
Workers involved	-	50	-	-	340	2,000
Mandays idle	-	150	-	-	870	28,000

* Computed on basis of actual numbers of population.

MINNESOTA

LEGAL PROVISIONS

The 1947 Charitable Hospitals Act covers employees in public and private hospitals. Act provides for negotiations with exclusive representative, mediation, and binding arbitration. Strikes are prohibited.

The Public Employment Labor Relations Act of 1971 covers all public employees. Requires meeting and negotiating with exclusive representative on terms and conditions of employment (meet and confer with supervisory and confidential employees). Director of Mediation Services conducts elections, determines units, provides mediation of impasses. Public Employment Relations Board hears appeals on unit determinations, determines issues concerning employee categories (supervisory, confidential, essential, professional). Provides binding arbitration of impasses. Employer has ten days to reject. Essential employees may request consideration of final position only. Does not apply to state, confidential, or supervisory employees. Board also provides grievance arbitration. Unfair practices are enforced in district court. Strikes are prohibited; treated as unfair practice.

CURRENT SITUATION

A considerable amount of adversary collective bargaining has occurred despite the previous statutory restriction to meet and confer. Seventy-six percent of city employees are represented. Teachers have been most vocal in their dissatisfaction with present procedures. No strikes have been reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

A legislative Subcommittee on Public Employer-Employee Relations issued a report in January 1971, which recommended comprehensive legislation covering all public employees, the Citizens League Committee of Minneapolis recommended major modifications of the teacher bargaining law, and the state AFL-CIO and the Minnesota League of Municipalities each prepared bargaining bills. Two bills previously introduced failed to pass. One of these bills would have provided a limited right to strike if employer rejected arbitration award.

MISSISSIPPI

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	2,178	29	2,217	29	1.8	46
Population per square mile	46.1	30	46.9	33		
Percent of population urban	37.7	50	44.5	48	20.2*	23
Percent of population rural	62.3	2	55.5	4	-9.4*	45*
Per capita Personal income	$1,206	51	$2,575	51	113.5	1

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$208	44	$518	41	149.0	8
..from Federal Government	$ 47	21	$126	17	168.1	16
..from State & local sources	$161	47	$392	45	143.5	7
Per capita expenditures	$231	42	$524	43	126.8	23

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	296	30/31	422	27	42.6	13
Total State & local employees (Full time equivalent)	64,438	31	93,632	31	45.3	37
Average monthly income (Full time public employees)	$270	51	$453	51	67.8	37
Average monthly income (FT non-educational employees)	$243	51	$404	51	66.3	36

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	2	-	1
Workers involved	-	-	-	170	-	50
Mandays idle	-	-	-	1,370	-	120

* Computed on basis of actual numbers of population.

MISSISSIPPI

LEGAL PROVISIONS

Mississippi has no statute relating to collective bargaining for public employees.

CURRENT SITUATION

Union activity has apparently been minimal. The cities of Pascagoula and Moss Point have contracts with labor organizations representing some employees. In late 1970, an effort which included a strike by AFSCME and backing by the AFL-CIO State Federation failed to gain recognition or a contract from the City of Jackson.

CURRENT LEGISLATIVE ACTIVITY

In 1971 a bill to establish a State Department of Labor was defeated with only two votes being cast for adoption. The 1970 legislature killed a bill which would have prohibited public employee strikes, also by a significant majority. The State Federation plans to seek committments from candidates for the 1972 legislature and to have a labor-management bill ready for introduction.

MISSOURI

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	4,320	13	4,677	13	8.3	34
Population per square mile	62.5	28	67.8	28		
Percent of population urban	66.6	21	70.1	22	13.9*	34*
Percent of population rural	33.4	31	29.9	30	-3.1*	31/2*
Per capita Personal income	$2,115	25	$3,704	24	75.1	30

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$226	41	$524	39	131.9	20
..from Federal Government	$ 46	22	$ 98	32	113.0	42
..from State & local sources	$180	41	$426	40	136.7	12
Per capita expenditures	$232	41	$551	37	137.5	15

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	269	48	392	41	45.7	6
Total State & local employees (Full time equivalent)	116,357	14	183,526	15	57.7	14
Average monthly income (Full time public employees)	$341	36	$613	30	79.8	8
Average monthly income (FT non-educational employees)	$312	33	$549	28	76.0	18

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	2	4	6	6	7	11
Workers involved	140	1,420	260	940	1,760	2,950
Mandays idle	460	2,040	900	6,390	10,630	8,190

* Computed on basis of actual numbers of population.

MISSOURI

LEGAL PROVISIONS

Statute enacted in 1967, amended in 1969, covers state and local employees except police, teachers, and State police. Requires employer to "meet, confer, and discuss proposals relative to salaries and other conditions of employment." State Board of Mediation resolves issues regarding unit determination and representation. No impasse procedure provided. Strikes are prohibited.

By Attorney General Opinion No. 276, issued December 12, 1968, teachers are allowed to join unions for the purpose of making proposals to school boards. However, the Boards do not have the authority to enter into binding agreements with the teacher organizations.

CURRENT SITUATION

There has been a substantial amount of labor relations activity primarily concentrated in the large, metropolitan areas. Some adversary collective bargaining relationships have developed despite the Circuit Court's ruling that the statutory obligation was satisfied when Jefferson City council received firemen's demands but declined to make a counter-offer. Strike actions in 1970 involved police, fire, teachers, and state inspectors. One involved municipal workers.

CURRENT LEGISLATIVE ACTIVITY

Three bills were introduced into the 1971 legislature, but none was passed. One bill, sponsored by AFSCME, IUOE, and Laborers, would have provided for union shops, supremacy of the collective bargaining agreement over civil service rules, and the right to strike. A similar bill was sponsored by the State Labor Council and the IAFF sponsored a constitutional amendment which would have provided collective bargaining rights. The Missouri Municipal League had also prepared legislation, but it was not introduced. It has been reported that the Governor may appoint a study committee to develop legislation for the 1972 legislature.

MONTANA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	675	42	694	44	2.9	43
Population per square mile	4.6	48	4.8	48		
Percent of population urban	50.2	40	53.4	40	9.5*	44*
Percent of population rural	49.8	12	46.6	12	-3.7*	33*
Per capita Personal income	$2,037	28	$3,379	34	65.9	43

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$351	6	$682	13	94.3	46
..from Federal Government	$ 78	4	$175	6	124.4	36
..from State & local sources	$273	10	$506	28	85.3	50
Per capita expenditures	$334	12	$675	17	102.1	42

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	370	4	479	11	29.5	40
Total State & local employees (Full time equivalent)	24,991	40	33,275	42	33.7	50
Average monthly income (Full time public employees)	$380	23/24	$605	31	59.2	47
Average monthly income (FT non-educational employees)	$347	21/22	$525	35/36	51.3	50

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	1	-	1	2	2
Workers involved	-	60	-	10	30	1,060
Mandays idle	-	60	-	150	510	1,510

* Computed on basis of actual numbers of population.

MONTANA

LEGAL PROVISIONS

A 1967 statute, amended and extended in 1969, covers nurses (RN's and LPN's) in public and private health-care facilities. Requires collective bargaining with exclusive representative. State Board of Health determines units and conducts elections. Unfair practices are specified for employer but must be enforced in district court. Strikes are prohibited if there is a strike at another health-care facility within 150 miles. There are no impasse procedures.

A 1971 Professional Negotiations Act for Teachers requires collective bargaining with exclusive representative on salary, hours, and other terms of employment. May meet and confer on curriculum, policy, selection, and facilities. Local school board conducts elections. Ad hoc, tripartite fact finding panel issues recommendations to resolve disputes. Unfair practices enforced in district court. Strikes are unfair practice. No provision for an administrative agency.

CURRENT SITUATION

Extent of labor relations activity appears to be modest. Some de facto recognition and bargaining is occurring. Montana State University has a union shop agreement with Teamsters. State Highway Commission has agency shop agreement with AFSCME.

CURRENT LEGISLATIVE ACTIVITY

The new teacher negotiation act was the result of a compromise bill between school board and MEA proposals. A teacher bill proposed by MFT was killed. Another bill proposed by AFSCME which would have covered all public employees was introduced but was not enacted. A substitute bill embracing the Advisory Commission on Intergovernmental Relations' model bargaining bill was also defeated.

NEBRASKA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	1,411	34	1,483	35	5.1	40
Population per square mile	18.4	39	19.4	41		
Percent of population urban	54.3	36	61.5	32	19.1*	24/25*
Percent of population rural	45.7	16	38.5	20	-11.5*	48*
Per capita Personal income	$2,110	27	$3,751	22	77.8	21

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$254	37	$614	27	141.7	14
..from Federal Government	$ 38	34	$86	42	123.7	37
..from State & local sources	$216	37	$528	24	144.4	6
Per capita expenditures	$267	34	$575	33	115.4	32

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	366	8	498	6	36.1	29
Total State & local employees (Full time equivalent)	51,669	32	73,843	33	42.9	40
Average monthly income (Full time public employees)	$330	41	$587	36/37	77.9	12
Average monthly income (FT non-educational employees)	$319	30	$542	29	69.9	30

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	-	-	-
Workers involved	-	-	-	-	-	-
Mandays idle	-	-	-	-	-	-

* Computed on basis of actual numbers of population.

NEBRASKA

LEGAL PROVISIONS

A 1967 statute, amended in 1969, brought all public employee disputes under jurisdiction of Court of Industrial Relations. Permits collective negotiations with employee representative on terms and conditions of employment. Court provides statistical data on wages, benefits, practices, maintains panels of qualified mediators and fact-finders, arbitrates labor disputes. Strikes are prohibited.

A 1967 Teachers' Professional Negotiations Act permits meeting and conferring with exclusive representative on all matters of employment relations. Recognition based on showing of membership; no provision for election. Ad hoc, tripartite fact-finding board issues recommendations to resolve impasses. State Department of Education may provide list of neutrals. Court of Industrial Relations has final jurisdiction.

CURRENT SITUATION

Level of public sector labor relations activity is quite modest. The IR Court adjudicated two bargaining unit determinations and one grievance in 1970; there were no bargaining impasses reported. The statute gives the court authority to adopt regulations governing its proceedings and to conduct studies of such problems as members only or exclusive representation, unit determination, negotiable subjects and to recommend remedial legislation. Apparently this authority has not yet been exercised. The City of Grand Island is challenging the constitutionality of the statute before the Nebraska Supreme Court. The decision may establish some much needed guidelines.

CURRENT LEGISLATIVE ACTIVITY

A bill was introduced into the 1971 legislature which would have repealed the law permitting government employees to organize and bargain collectively but was killed by a close vote.

NEVADA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	285	50	489	48	71.3	1
Population per square mile	2.6	50	4.4	49		
Percent of population urban	70.4	19	80.9	9	97.0*	1*
Percent of population rural	29.6	33	19.1	43	10.4*	6*
Per capita Personal income	$2,856	2	$4,562	6	59.7	49

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$419	2	$849	7	102.6	40
..from Federal Government	$ 74	7	$157	10	112.2	44
..from State & local sources	$345	1	$693	4	100.9	39
Per capita expenditures	$421	2	$851	6	102.1	41

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	405	2	519	3	28.1	44
Total State & local employees (Full time equivalent)	11,533	50	25,357	48	119.9	2
Average monthly income (Full time public employees)	$422	14	$741	12/13	75.6	19
Average monthly income (FT non-educational employees)	$398	9/10	$719	7	80.7	11

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	-	2	-
Workers involved	-	-	-	-	2,880	-
Mandays idle	-	-	-	-	2,880	-

* Computed on basis of actual numbers of population.

NEVADA

LEGAL PROVISIONS

A 1965 Attorney General opinion advised that neither the state nor its subdivisions could enter into collective bargaining agreements affecting public employees. This opinion was reaffirmed in 1970 when the Attorney General determined that state employees could not engage in collective bargaining, that such activity is illegal until specifically authorized by the legislature.

A 1969 Local Government Employee-Management Relations Act, amended in 1971, covers all local employees (including teachers) and nurses employed by the State. Requires negotiations with exclusive representative on wages, hours and conditions of employment. Employer establishes criterion for determining units. Local Government Employee-Management Board resolves unit determination problems, conducts elections, hears unfair practices. On impasses may use ad hoc mediation, fact-finding, and arbitration and may agree in advance that recommendations of fact-finder or arbitrator will be binding. Also, Governor can order in advance that such recommendations be binding. If public safety is endangered, the Board may review and modify or enforce the recommendations. Strikes are prohibited.

CURRENT SITUATION

Unions activity appears to be on a moderate level. State nurses are organized and have pushed hard for recognition. The 1971 amendment brought them under the local statute.

CURRENT LEGISLATIVE ACTIVITY

The Nevada State Employees Association has voted to introduce legislation for formal collective bargaining for state employees into the 1973 legislative session. One month earlier, the NSEA had testified that they had no interest in collective bargaining and opposed inclusion in the local government bargaining law.

NEW HAMPSHIRE

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	607	46	738	42	21.5	9
Population per square mile	63.7	26	81.7	21		
Percent of population urban	58.3	31	56.4	38	17.6*	29*
Percent of population rural	41.7	21	43.6	14	27.7*	1*
Per capita Personal income	$2,144	24	$3,590	30	67.4	42

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$259	35	$498	47	92.3	48
..from Federal Government	$50	17	$87	41	74.0	49
..from State & local sources	$209	38	$411	43	96.7	44
Per capita expenditures	$275	31	$537	39	95.3	46

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	295	33	361	49	22.4	50
Total State & local employees (Full time equivalent)	17,904	46	26,623	46	48.7	32
Average monthly income (Full time public employees)	$345	32	$629	29	82.3	5
Average monthly income (FT non-educational employees)	$313	32	$564	26	80.2	13

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	1	3	2	4
Workers involved	-	-	130	690	690	360
Mandays idle	-	-	130	880	2,490	4,590

* Computed on basis of actual numbers of population.

NEW HAMPSHIRE

LEGAL PROVISIONS

A 1955 statute covers local employees including teachers. Permits municipalities to recognize and enter into collective bargaining agreements with employee unions. There are no administrative procedures provided; however, the Commissioner of Labor will conduct representation elections if requested.

A 1957 decision of the New Hampshire Superior Court held that public employees could bargain collectively but had no right to strike. (Manchester v. Manchester Teachers Guild).

In 1968, the Superior Court approved a union shop (actually an agency shop) agreement between the City of Berlin and the Berlin Police Union (AFSCME).

A 1969 statute covers state classified and state university nonacademic employees. Requires collective bargaining with exclusive representative on conditions of employment. Management-Employee Relations Commission determines units. State Director of Personnel conducts elections. Impasse procedures including mediation, fact finding, and arbitration (binding unless requires appropriation) are negotiable. Strikes are prohibited. No provision for unfair practices.

CURRENT SITUATION

Union activity appears to be on a moderate level. There are a number of teachers contracts throughout the state. Concord recently entered into their first contract with their fire fighters following three years of negotiating.

CURRENT LEGISLATIVE ACTIVITY

Two comprehensive bargaining bills were considered in the 1971 legislature, but neither passed.

NEW JERSEY

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	6,067	8	7,168	8	18.2	15
Population per square mile	806.7	3	953.1	2		
Percent of population urban	88.6	2	88.9	3	18.6*	27*
Percent of population rural	11.4	50	11.1	49	14.8*	4*
Per capita Personal income	$2,708	7/8	$4,598	4	69.8	40

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$263	32	$603	30	129.3	23
..from Federal Government	$19	51	$75	48	294.7	3
..from State & local sources	$244	25	$528	23	116.4	27
Per capita expenditures	$257	35	$604	28	135.0	17

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	280	42	374	45	33.6	30
Total State & local employees (Full time equivalent)	169,982	8	267,796	9	57.5	15
Average monthly income (Full time public employees)	$440	8/9	$751	10	70.7	31
Average monthly income (FT non-educational employees)	$370	16	$660	14	78.4	16

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	5	5	8	10	16	24
Workers involved	1,080	2,280	2,930	3,310	6,010	13,390
Mandays idle	3,010	4,210	9,750	7,800	21,210	141,410

* Computed on basis of actual numbers of population.

NEW JERSEY

LEGAL PROVISIONS

The Employer-Employee Relations Act, effective in 1969, covers all public and private employees. Requires collective bargaining with exclusive representative on terms and conditions of employment. Public Employment Relations Commission determines units, conducts election, hears unfair practices, provides mediation, fact-finding, and arbitration of impasses. There is no provision for strikes; however, the New Jersey courts have consistently held that public employee strikes are illegal.

CURRENT SITUATION

New Jersey has had an extremely high level of public sector union activity. PERC has had significant budget and staffing problems which may have influenced its effectiveness. A large number of precedent cases has been decided in court; this has resolved some of the interpretive problems in administering the statute and has also pinpointed some of its omissions.

CURRENT LEGISLATIVE ACTIVITY

Eleven bills were introduced in the 1970-71 legislature to amend the New Jersey statute, but none passed. Some of the bills would have restricted the discretionary powers of PERC; some would have expanded these administrative powers.

NEW MEXICO

STATE POPULATION DATA						
	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	951	37	1,016	37	6.8	37
Population per square mile	7.8	47	8.4	47		
Percent of population urban	65.9	22	69.8	23	13.1*	36*
Percent of population rural	34.1	30	30.2	29	-5.3*	37*
Per capita Personal income	$1,888	34	$3,131	42	65.8	44

STATE GOVERNMENT ECONOMIC DATA						
Per capita revenues	$324	13	$716	9	121.0	28
..from Federal Government	$75	6	$197	4	162.7	17
..from State & local sources	$249	21	$520	25	108.8	32
Per capita expenditures	$309	19	$671	19	117.2	30

PUBLIC EMPLOYMENT DATA						
Employees per 10,000 inhabitants (Full time equivalent)	337	15/16	486	8	44.2	10
Total State & local employees (Full time equivalent)	32,011	36	49,377	36	54.3	22
Average monthly income (Full time public employees)	$374	27	$589	35	57.5	48
Average monthly income (FT non-educational employees)	$323	29	$532	32	64.7	39

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT						
	1965	1966	1967	1968	1969	1970
No. of stoppages	-	1	1	1	-	1
Workers involved	-	240	20	3,380	-	700
Mandays idle	-	520	20	16,000	-	3,500

* Computed on basis of actual numbers of population.

NEW MEXICO

LEGAL PROVISIONS

In 1965, the New Mexico Supreme Court affirmed the authority of a municipality to enter into a collective bargaining agreement with a union of public employees. (IBEW Local 611 v. Town of Farmington, N.M., SupCt, No. 7694, Aug.23, 1965)

In 1971, the State Personnel Board issued regulations concerning employee-management relations with classified state employees. Provides for individual agency recognition of exclusive representative for collective bargaining or conferring on terms and conditions of employment. Board approves bargaining units, granting of consultation rights without election, agreements and provides ad hoc mediation and fact-finding of impasses. State Personnel Office conducts elections on request. Prohibits union or agency shop agreements and strikes. Board to develop unfair practice regulations.

CURRENT SITUATION

Union activity has been on a modest level but appears to be increasing. The State Personnel Board regulations followed the organization of a state hospital by the carpenter's union. The City of Albuquerque and the Albuquerque School Board have recently issued local labor relations procedures; the city has agreements with several unions. Farmington and Carlsbad have had contracts for several years.

CURRENT LEGISLATIVE ACTIVITY

A comprehensive bill which would have provided bargaining rights for all public employees failed in the 1971 legislature by one vote. Similar legislation had passed the 1969 legislature but was recalled and killed.

NEW YORK

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	16,782	1	18,237	2	8.7	33
Population per square mile	350.1	6	381.3	7		
Percent of population urban	85.4	5	85.6	5	8.9*	45*
Percent of population rural	14.6	47	14.4	47	7.5*	10*
Per capita Personal income	$2,749	6	$4,769	3	73.5	33

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$366	5	$889	4	142.9	10
..from Federal Government	$29	46	$121	21	317.2	2
..from State & local sources	$337	2	$768	2	127.9	17
Per capita expenditures	$374	4	$919	4	145.7	9

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	368	6	514	5	39.7	20
Total State & local employees (Full time equivalent)	617,104	1	934,564	1	51.4	28
Average monthly income (Full time public employees)	$449	6/7	$809	4	80.2	7
Average monthly income (FT non-educational employees)	$407	8	$749	5	84.0	6

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	4	15	15	23	13	34
Workers involved	6,820	41,000	64,700	68,100	2,140	6,980
Mandays idle	118,000	294,000	794,000	1,760,000	6,650	28,870

* Computed on basis of actual numbers of population.

NEW YORK

LEGAL PROVISIONS

A 1963 statute requires all local government employers to establish a two stage grievance procedure.

The Public Employee's Fair Employment Act (Taylor Law) of 1967, amended in 1969, 1970 and 1971, covers all public employees. Requires collective bargaining with exclusive representative on salaries, wages, hours and other terms and conditions of employment. Public Employment Relations Board determines units, conducts elections, hears unfair practices, provides mediation and fact-finding for impasses. Board holds show cause hearings if fact-finders recommendations are rejected. Strikes are prohibited. Statute provides for local governments to establish independent procedures which must be substantially equivalent to the state act and for the Office of Collective Bargaining in New York City.

CURRENT SITUATION

By any measure, union activity in New York has been staggering. Literature describing the current situation is replete with such adjectives as crisis, chaos, climactic, pervasive, and more accurately, anomoly. In FY 70-71, PERB handled 149 unit determination petitions, conducted 46 elections, held 144 unfair practice and 21 strike hearings, and provided mediation for 350 cases and fact-finding for 252. In addition, OCB handled 114 unit determinations, 20 elections, and 18 mediation and 16 fact-finding cases. Of approximately 1,000,000 public employees, 900,000 are organized. There are approximately 2500 bargaining units with 1100 employers. There are 19 local mini-PERB's (7 of which are active), down from an original 35.

CURRENT LEGISLATIVE ACTIVITY

Several bills which modified the provisions of the Taylor Law were passed by the 1971 legislature. An omnibus bill which would have restricted negotiations failed. A Joint Legislative Study Committee is currently holding public conferences concerning the statute.

NORTH CAROLINA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	4,556	12	5,082	12	11.5	23
Population per square mile	92.9	17	104.1	18		
Percent of population urban	39.5	45	45.0	46	26.8*	15*
Percent of population rural	60.5	7	55.0	6	1.5*	24*
Per capita Personal income	$1,562	46	$3,207	40	105.3	3

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$201	48	$472	49	134.8	18
..from Federal Government	$34	40	$81	47	138.2	27
..from State & local sources	$168	45	$390	46	132.1	16
Per capita expenditures	$195	50	$464	50	137.9	14

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	266	49	372	46	39.8	18
Total State & local employees (Full time equivalent)	121,005	12	189,284	13	56.4	17
Average monthly income (Full time public employees)	$335	39	$597	32	78.2	10
Average monthly income (FT non-educational employees)	$295	42	$533	31	80.7	10

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	3	2	4	9	9
Workers involved	150	270	40	610	1,410	1,650
Mandays idle	5,400	7,160	140	2,320	7,620	6,270

* Computed on basis of actual numbers of population.

NORTH CAROLINA

LEGAL PROVISIONS

A 1959 statute prohibits police and fire employees from becoming members of a labor union and voided all existing contracts.

A 1959 Attorney General opinion held that a municipality may prohibit its employees from belonging to unions and municipalities may not recognize or bargain with a union.

U. S. District Court in Charlotte ruled in 1969 that the provisions of law prohibiting public employees from becoming members of nationally affiliated labor unions unconstitutional. The court upheld the section of the law which forbids contracts.

CURRENT SITUATION

A 1970 survey by the North Carolina League of Municipalities shows labor organizations in 25% of communities over 5,000. In 2 1/2 year study period, 17% had work stoppages mostly involving sanitation workers. Several communities "confer" with employees over grievances. Durham has recognized unions for formal bargaining.

CURRENT LEGISLATIVE ACTIVITY

The recommendations of a 1970 Governor's Study Committee has resulted in a meet and confer bill introduced into the 1971 legislature which would let employees organize but prohibit contracts. A second bill endorsed by IAFF would have provided bargaining rights for fire fighters. Neither bill cleared committee.

NORTH DAKOTA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	632	45	618	46	-2.3	50
Population per square mile	9.1	44	8.9	44		
Percent of population urban	35.2	51	44.3	49	22.8*	21*
Percent of population rural	64.8	1	55.7	3	-16.0*	51
Per capita Personal income	$1,714	41	$2,995	47	74.7	31

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$350	7	$678	15	93.7	47
..from Federal Government	$ 76	5	$126	16	65.8	51
..from State & local sources	$275	9	$551	18	100.4	40
Per capita expenditures	$369	6	$657	20	78.0	50

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	356	10	450	17	26.4	46
Total State & local employees (Full time equivalent)	22,521	43	27,818	45	23.5	51
Average monthly income (Full time public employees)	$357	29	$595	33	66.7	42
Average monthly income (FT non-educational employees)	$328	28	$526	34	60.4	47

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	-	-	-	1	-
Workers involved	80	-	-	-	160	-
Mandays idle	320	-	-	-	5,460	-

* Computed on basis of actual numbers of population.

NORTH DAKOTA

LEGAL PROVISIONS

A 1951 statute provides that public employees may join unions, public employer must deal with union on grievances concerning employment problems, and provides for ad hoc, tripartite mediation to resolve disputes.

A 1956 Attorney General opinion ruled that N. D. laws do not prohibit collective bargaining between unions and political subdivisions.

A 1969 statute covers teachers. Requires negotiating with exclusive representative on salary, hours, and other terms and conditions of employment. Local school boards determine unit and conduct elections. Education Fact Finding Commission determines rules for conduct of election and provides fact finding with recommendations to resolve impasses. Parties may also agree to mediation. Agreements may include own impasse procedures. Strikes are prohibited. No provision for unfair practices.

A 1966 court decision held that strike by city employees is illegal (City of Minot v. Teamsters Local No. 74, et. al., 142 N.W. (2d) 612, 1966).

CURRENT SITUATION

Union activity appears to be on a very modest level.

CURRENT LEGISLATIVE ACTIVITY

The North Dakota Employees Association attempted to establish a merit system, and AFSCME introduced legislation to define the public employer as an employer under the definitions of the N. D. Labor Relations Act. Neither effort was successful.

OHIO

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	9,706	5	10,652	6	9.7	31
Population per square mile	236.9	9	260.0	10		
Percent of population urban	73.4	15	75.3	17	12.7*	37*
Percent of population rural	26.6	37	24.7	35	1.7*	23*
Per capita Personal income	$2,335	14	$3,972	15	70.1	36

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$261	34	$517	42	98.1	42
..from Federal Government	$ 32	42	$ 72	49	125.0	35
..from State & local sources	$229	32	$444	37	93.9	46
Per capita expenditures	$273	32	$535	40	96.0	45

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	284	40	366	48	28.9	42
Total State & local employees (Full time equivalent)	275,161	6	389,855	6	41.7	42
Average monthly income (Full time public employees)	$395	18	$659	20	66.8	41
Average monthly income (FT non-educational employees)	$371	15	$580	24	56.3	48

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	15	28	24	65	53
Workers involved	10	5,420	5,940	6,080	16,270	13,020
Mandays idle	40	17,100	32,900	19,400	50,300	98,650

* Computed on basis of actual numbers of population.

OHIO

LEGAL PROVISIONS

A 1945 statute covers employees of previously private utility. Allows contracting with union on same or similar terms.

The 1947 Ferguson Act prohibits public employee strikes and mandates penalties for violation. In Goldberg v. Cincinnati (1971), 25 Ohio St. 2d., Ohio Supreme Court ruled that a public employee is not engaged in a statutory strike unless he is sent the prescribed notice.

A 1967 Attorney General Opinion to Ohio State University stated that while it may not grant recognition to a union, it may discuss employee working conditions with a union, as long as there are no resulting contractual commitments.

In 1971, Lucas County Court of Common Pleas held that it was unlawful for City of Toledo to authorize a union shop and mandatory check-off. Ohio Supreme Court upheld ruling against agency shop agreement between AFSCME and city of Akron.

CURRENT SITUATION

Collective bargaining with exclusive union representation has been common practice in Ohio for many years despite the lack of statutory guidelines. Written agreements with union security provisions for check-off and maintenance of membership are also common. The uncompromising Ferguson Act prohibiting strikes has not prevented a disproportionate number of public employee strikes.

CURRENT LEGISLATIVE ACTIVITY

A comprehensive public employee collective bargaining bill sponsored by the governor has been introduced into the 1971 legislature. Bills endorsed by Ohio Civil Service Employees Association and others have also been introduced. Prospects for passage are regarded as unlikely. Previous bills in 1967, 1968, and 1969 failed to pass.

OKLAHOMA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	2,328	27	2,559	27	9.9	30
Population per square mile	33.8	36	37.2	35		
Percent of population urban	62.9	26	68.0	24	18.8*	26*
Percent of population rural	37.1	26	32.0	28	-5.2*	30*
Per capita Personal income	$1,862	35	$3,312	36	77.9	20

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$280	27	$575	32	105.4	39
..from Federal Government	$ 56	15	$143	12	155.4	22
..from State & local sources	$223	33	$432	38	93.7	47
Per capita expenditures	$282	30	$576	32	104.3	39

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	318	22	420	28	32.1	33
Total State & local employees (Full time equivalent)	74,086	26	107,454	26	45.0	38
Average monthly income (Full time public employees)	$331	40	$550	42	66.2	43
Average monthly income (FT non-educational employees)	$281	44	$489	44	74.0	22

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	1	-	1	1	2
Workers involved	20	3,420	-	13,500	200	820
Mandays idle	80	3,420	-	13,500	11,870	2,920

* Computed on basis of actual numbers of population.

OKLAHOMA

LEGAL PROVISIONS

In March, 1971, Oklahoma enacted its first public employee labor relations statute. Covers local police and fire personnel. Requires collective bargaining with exclusive representative on wages, hours, and other terms and conditions of employment. Provides for ad hoc, tripartite, advisory arbitration of impasses. Agreements must provide for mediation and fact-finding of grievances. Provides for unfair practices. Strikes are prohibited. No provision for an administrative agency.

In September, 1971, a second statute was enacted covering teachers and non-professional school employees. Requires collective bargaining with exlcusive representative on terms and conditions of employment. Provides for ad hoc, tripartite fact-finding committee which makes recommendations. Strikes are prohibited. No provisions for an administrative agency or unfair practices.

CURRENT SITUATION

Union activity prior to the two bargaining statutes appears to have been on a modest level. Teachers' organizations had been most active and had established meet and confer relationships with several school boards.

CURRENT LEGISLATIVE ACTIVITY

A comprehensive bill covering municipal employees (except police and fire) passed the Senate and went to the House Rules Committee. Consideration of the bill will continue when the legislature reconvenes in January 1972. A similar bill was considered in 1970 but was unsuccessful. Also in 1970, two bills covering police/fire and teachers were passed by the legislature but were vetoed by the Governor.

OREGON

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	1,769	32	2,091	31	18.2	14
Population per square mile	18.4	40	21.7	39		
Percent of population urban	62.2	28	67.1	25	27.5*	12*
Percent of population rural	37.8	24	32.9	27	3.0*	19*
Per capita Personal income	$2,235	19	$3,705	23	65.8	45

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$342	10	$666	20	94.7	45
..from Federal Government	$64	11	$136	14	112.5	43
..from State & local sources	$279	8	$530	22	90.0	48
Per capita expenditures	$343	10	$693	12	102.0	43

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	367	7	463	15	26.2	47
Total State & local employees (Full time equivalent)	64,849	30	96,834	30	49.3	31
Average monthly income (Full time public employees)	$414	15	$700	17	69.1	34
Average monthly income (FT non-educational employees)	$390	11	$667	13	71.0	29

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	1	-	-	-
Workers involved	-	-	20	-	-	-
Mandays idle	-	-	70	-	-	-

* Computed on basis of actual numbers of population.

OREGON

LEGAL PROVISIONS

A 1963 statute, amended in 1969, covers state employees and employees of local jurisdictions which elect to be covered. Requires collective bargaining with exclusive representative on wages, hours, and other conditions of employment. Public Employee Relations Board provides conciliation, mediation, fact-finding or voluntary arbitration. Local boards or commissions establish procedures for unit determination and recognition. Strikes are prohibited.

Fourteen cities and sixteen counties have enacted local ordinances rather than electing to be covered by the above statute.

A 1965 statute, amended in 1969 and 1971, covers teachers. Requires school boards to confer, consult and discuss salaries and related economic issues and grievance procedures with an exclusive representative (may be a teacher committee or employee organization). Superintendent of Public Instruction appoints mediator and fact finder to resolve negotiation impasses. No provisions for an administrative agency, unfair practices, or strikes.

A 1971 statute covers non-certificated school personnel. Provisions are essentially the same as the teacher statute.

CURRENT SITUATION

There has been an increasing amount of collective bargaining activity at the local government level. Three cities have elected to declare themselves 'public employers' under the state law. There are 80 bargaining units in the state service covering 22,000 employees. The major difference with regard to negotiation procedures at the state v. local level exists in the area of scope of negotiations; salaries, fringe benefits and working conditions are subjects for negotiation at the local level while at the state level, employee salaries and fringe benefits are not subjects for negotiation but reserved for unilateral decision by the state legislation. No strike activity has been reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

Two bills were passed in the 1971 legislature neither of which clarifies the confusion concerning the state and local statute. One bill which would have accomplished this died in sub-committee. Two other bills requested by the OFT and OEA which would have permitted work stoppages also failed to pass.

PENNSYLVANIA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	11,319	3	11,794	3	4.2	41
Population per square mile	251.5	8	262.3	9		
Percent of population urban	71.6	18	71.5	21	4.1*	47*
Percent of population rural	28.4	34	28.5	31	4.5*	12/13*
Per capita Personal income	$2,242	18	$3,927	16	75.2	28

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$231	40	$561	34	142.9	11
..from Federal Government	$27	48	$85	43	214.8	11
..from State & local sources	$205	40	$476	31	132.2	15
Per capita expenditures	$257	36	$597	30	132.3	19

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	250	50	351	51	40.4	16
Total State & local employees (Full time equivalent)	282,784	4	414,119	5	46.4	34
Average monthly income (Full time public employees)	$384	21	$685	19	78.4	9
Average monthly income (FT non-educational employees)	$353	19	$632	18	79.0	14

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	4	10	13	38	29
Workers involved	-	1,110	8,190	21,700	11,460	30,380
Mandays idle	-	1,900	12,800	30,400	51,040	123,500

* Computed on basis of actual numbers of population.

PENNSYLVANIA

LEGAL PROVISIONS

A 1967 statute covers employees of transit companies acquired by a city or joint authority. Requires acceptance of operations employees with full seniority rights and the assumption of any collective bargaining agreement. Requires final and binding arbitration of disputes by tripartite board.

A 1968 statute covers police and fire. Requires collective bargaining with exclusive representative on terms and conditions of employment. Provides for final and binding arbitration of impasses by tripartite board. (Upheld in 1969 by Pa. Supreme Court in Harney v. Russo, 71 LRRM 2817.)

A 1970 statute covers all public employees except police and fire. Requires collective bargaining with exclusive representative on wages, hours, and conditions of employment. Pennsylvania Labor Relations Board administers statute, determines units, conducts elections, provides mediation and fact finding of impasses, hears unfair practices. Impasses may be submitted to tripartite arbitration panel whose awards are binding except for items which require legislation. Compulsory for prison and mental hospital guards and court employees who are prohibited from striking. Strikes during statutory bargaining procedures are prohibited; otherwise strikes are not prohibited unless or until it "creates a clear and present danger or threat to the health, safety or welfare of the public."

CURRENT SITUATION

In its first year of operation, the Board has conducted 251 elections plus 10 runoffs. Forty-five different employee organizations have been certified to 209 bargaining units. There have been 64 strikes 61 of which involved school districts.

CURRENT LIGSILATIVE ACTIVITY

There have been no reports of legislative or study committee activity.

RHODE ISLAND

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	859	39	947	39	10.1	28
Population per square mile	812.4	2	902.5	3		
Percent of population urban	86.4	3	87.1	4	11.0*	42*
Percent of population rural	13.6	49	12.9	48	4.5*	12/13*
Per capita Personal income	$2,219	20	$3,902	17	75.8	27

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$257	36	$604	29	135.0	17
..from Federal Government	$37	36	$123	19	232.4	8
..from State & local sources	$219	34	$480	30	119.2	24
Per capita expenditures	$256	39	$618	26	141.4	11

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	288	37	379	44	31.6	36
Total State & local employees (Full time equivalent)	24,708	41	35,976	41	45.6	36
Average monthly income (Full time public employees)	$389	20	$691	18	77.6	14
Average monthly income (FT non-educational employees)	$345	23	$623	19	80.6	12

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	2	1	1	4	4	1
Workers involved	380	690	50	560	2,980	90
Mandays idle	3,940	690	50	2,870	27,710	90

* Computed on basis of actual numbers of population.

RHODE ISLAND

LEGAL PROVISIONS

A 1961 statute, amended in 1968 and 1970, covers firefighters. Requires collective bargaining with exclusive representative on wages, rates of pay, hours, working conditions and all other terms and conditions of employment. Impasses referred to compulsory, binding arbitration by ad hoc, tripartite board. Strikes are prohibited. No provisions for an administrative agency or unfair practices.

A 1963 statute, amended in 1968 and 1970, covers policemen. Provisions essentially the same as preceding firefighter statute.

A 1966 statute, amended in 1970, covers state employees. Requires collective bargaining with employee representatives on wages, hours and conditions of employment. Strikes are prohibited. There are no administrative provisions in the statute.

The School Teachers' Aribtration Act of 1966 requires collective bargaining with exclusive representative on hours, salary, working conditions and other terms of professional employment. State Labor Relations Board Conducts Elections. State Department of Education provides mediation. Ad hoc, tripartite arbitration board issues binding decisions on all matters not requiring expenditure of money. No provision for unfair practices or strikes.

A 1967 Municipal Employees Arbitration Act requires collective bargaining with exclusive representative on hours, salary, working conditions and other terms of employment. State Labor Relations Board determines units, conducts elections, provides mediation. Ad hoc, tripartite arbitration board issues binding decisions on all matters not requiring expenditure of money. Strikes are prohibited.

CURRENT SITUATION

Union activity has been moderate. For the most part, representation issues have been resolved and negotiations concluded with a minimum of problems.

CURRENT LEGISLATIVE ACTIVITY

Three bills were considered by the 1971 legislature which would permit public employee strikes, but none passed.

SOUTH CAROLINA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	2,383	26	2,591	26	8.7	32
Population per square mile	78.7	20	85.7	20		
Percent of population urban	41.2	44	47.6	45	25.6*	16/17*
Percent of population rural	58.8	8	52.4	7	-3.1*	31/32*
Per capita Personal income	$1,379	49	$2,936	48	112.9	2

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$199	50	$435	51	118.6	30
..from Federal Government	$ 38	35	$ 84	45	121.1	38
..from State & local sources	$161	48	$351	50	118.0	25
Per capita expenditures	$183	51	$457	51	149.7	7

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	277	44	397	37	43.3	11
Total State & local employees (Full time equivalent)	66,116	29	102,696	29	55.3	21
Average monthly income (Full time public employees)	$284	48/49	$518	48/49	82.4	4
Average monthly income (FT non-educational employees)	$263	48	$461	48	75.3	20

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	-	2	-
Workers involved	-	-	-	-	610	-
Mandays idle	-	-	-	-	34,620	-

* Computed on basis of actual numbers of population.

SOUTH CAROLINA

LEGAL PROVISIONS

South Carolina has no statute relating to collective bargaining in the public sector.

CURRENT SITUATION

Union activity appears to be on a modest level. Public policy of the state has been to prohibit bargaining and strikes, but we can find no official opinions on court decisions on the subject. Several agencies have established informal relationships with employee organizations, most notably among teacher organizations. Charleston had recognized AFSCME as representative of public service, blue collar employees, but new mayor recently withdrew recognition on basis that he cannot "legally recognize the union." He has agreed to meet on an informal basis. Local 1199-B is currently organizing state hospital workers. The State Ports Authority does recognize a group of railway workers but claims to do so because of National Railway Act.

CURRENT LEGISLATIVE ACTIVITY

As a result of a special study committee chaired by state Senator James B. Stephen, the 1971 legislature passed two statutes establishing grievance procedures for state and local public employees. Legislation proposed by Governor would have banned collective bargaining as well as strikes. Senator Stephen had previously introduced a bill in 1970 which would have permitted bargaining.

SOUTH DAKOTA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	681	41	666	45	-2.2	49
Population per square mile	8.9	45	8.8	45		
Percent of population urban	39.3	46	44.6	47	11.0*	41*
Percent of population rural	60.7	6	55.4	5	-10.8*	47*
Per capita Personal income	$1,782	40	$3,165	41	77.6	22

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$312	16	$651	23	108.7	36
..from Federal Government	$ 64	12	$139	13	117.2	41
..from State & local sources	$249	22	$512	26	105.6	35
Per capita expenditures	$301	22	$638	23	112.0	33

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	341	13	483	10	41.6	14
Total State & local employees (Full time equivalent)	23,231	42	32,131	44	38.3	47
Average monthly income (Full time public employees)	$323	44	$552	40	70.9	30
Average monthly income (FT non-educational employees)	$304	39/40	$492	43	61.8	45

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	1	1	1
Workers involved	-	-	-	440	60	60
Mandays idle	-	-	-	3,970	180	180

* Computed on basis of actual numbers of population.

SOUTH DAKOTA

LEGAL PROVISIONS

A 1969 statute, amended in 1970, covers all public employees. Requires formal recognition of majority organization which may "meet and negotiate" on grievance procedures and conditions of employment; informal recognition of minority organizations which may meet and confer. State Labor and Management Relations Board administers statute, determines units, conducts election, resolves impasses, arbitrates grievances. Strikes are prohibited; treated as misdemeanor. No provision for unfair practices.

A 1971 statute covering police and fire employees provides for exclusive representation and binding arbitration of disputes by a tripartite fair hearing board. Hearings are public and published.

CURRENT SITUATION

Level of public sector labor relations activity is quite modest. The commission participated in two disputes is fiscal year 1970. Rapid City discharged striking firefighters in 1970; only half of them were rehired. No strikes were reported in first half of 1971.

CURRENT LEGISLATIVE ACTIVITY

South Dakota's statute was amended in July 1970 which changed "meet and confer" to "meet and bargain." In 1971, the State Labor and Management Relations Board was established to replace the Industrial Commission.

TENNESSEE

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,567	17	3,924	17	10.0	29
Population per square mile	85.4	19	94.9	19		
Percent of population urban	52.3	38	58.8	35	23.6*	20*
Percent of population rural	47.7	14	41.2	17	4.9*	34/35*
Per capita Personal income	$1,544	47	$3,085	43	99.8	6

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$205	45	$474	48	131.2	21
..from Federal Government	$ 43	30	$106	28	146.5	25
..from State & local sources	$162	46	$367	49	126.5	18
Per capita expenditures	$217	46	$497	48	129.0	21

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	295	32	414	30	40.3	17
Total State & local employees (Full time equivalent)	105,280	19	162,354	17	54.2	23
Average monthly income (Full time public employees)	$304	46	$526	47	73.0	27
Average monthly income (FT non-educational employees)	$272	45	$462	47	69.9	31

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	1	-	-	7	3	1
Workers involved	20	-	-	3,090	740	10
Mandays idle	140	-	-	90,500	7,120	30

* Computed on basis of actual numbers of population.

TENNESSEE

LEGAL PROVISIONS

Tennessee has no statute relating to collective bargaining in the public sector.

A 1957 Court of Appeals decision ruled that a municipal utility has no right to bargain collectively in the absence of express statutory authority.

CURRENT SITUATION

Level of union activity is apparently modest. The City of Nashville has a local labor relations policy law which allows exclusive representation. The Nashville board of education recognized and signed a contract with the Communication Workers union as bargaining agent for cafeteria workers and custodians in 1966. Also in 1966, the State Department of Mental Health entered into agreement with Service Employees Union covering 4,000 employees.

CURRENT LEGISLATIVE ACTIVITY

The 1971 legislature failed to pass a comprehensive bill which would have provided bargaining rights for all public employees. A similar bill also failed in 1969.

TEXAS

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	9,580	6	11,197	4	16.9	17
Population per square mile	36.5	34	42.7	34		
Percent of population urban	75.0	10	79.7	12	24.1*	19
Percent of population rural	25.0	42	20.3	40	-4.9*	34/35*
Per capita Personal income	$1,926	33	$3,531	32	83.3	16

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$247	39	$509	44	106.1	38
..from Federal Government	$ 40	33	$ 91	36	127.5	33
..from State & local sources	$207	39	$418	42	101.9	38
Per capita expenditures	$246	40	$503	47	104.5	38

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	305	28	405	34	32.8	32
Total State & local employees (Full time equivalent)	291,955	3	453,807	3	55.4	19
Average monthly income (Full time public employees)	$339	37	$587	36/37	73.2	26
Average monthly income (FT non-educational employees)	$314	31	$531	33	69.1	32

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	3	2	4	4	1
Workers involved	-	660	320	480	470	10
Mandays idle	20(a)	790	2,120	2,320	1,570	60

* Computed on basis of actual numbers of population.

* (a) Idleness in 1965 resulting from a stoppage begun in 1964.

TEXAS

LEGAL PROVISIONS

A 1947 statute forbids strikes by public employees, forbids contracts, forbids union recognition; does not impair the existing right to present grievances concerning wages, hours, or work conditions individually or through a representative that does not claim the right to strike. This statute does, however, allow union membership.

A 1967 statute provides that school boards may consult with teachers with respect to matters of educational policy and employment.

Another 1967 bill permits city governing bodies to establish plans for dues check-off.

CURRENT SITUATION

The growth of public employee unions has not kept pace with the general experience of the rest of the nation. Little genuine bargaining has taken place; however, there are a number of contracts in the Gulf Coast cities. The 1947 statute above is currently being tested in Federal District Court in a class action brought by the Associacion de Obreros Mexico-Americans against the City Public Service Board of San Antonio.

CURRENT LEGISLATIVE ACTIVITY

A number of labor relations bills were considered by the 1971 legislature, but none passed. Two companion bills and a third senate bill would have provided collective bargaining rights for all public employees. A fourth senate bill would have covered fire fighters only. Two other bills would have provided dues checkoff and established a public employee relations board.

The AFL-CIO had pledged to push for union rights for public employees. Presumably they will continue to do so. A number of municipal officials have expressed favorable interest in legislation and may consider a meet and confer bill for introduction into the 1971 legislature.

UTAH

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	891	38	1,059	36	18.9	13
Population per square mile	10.8	43	12.9	43		
Percent of population urban	74.9	11	80.4	11	27.6*	11*
Percent of population rural	25.1	41	19.6	41	-7.6*	41*
Per capita Personal income	$1,968	31	$3,213	39	63.3	47

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$307	19	$650	24	111.7	34
..from Federal Government	$ 72	8	$165	7	129.2	32
..from State & local sources	$235	28	$485	29	106.4	34
Per capita expenditures	$307	20	$636	24	107.2	37

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	337	15/16	449	18	33.2	31
Total State & local employees (Full time equivalent)	29,990	37	47,539	38	58.2	13
Average monthly income (Full time public employees)	$379	25	$634	25/26	67.3	39
Average monthly income (FT non-educational employees)	$347	21/22	$582	23	67.7	35

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	1	1	1	1
Workers involved	-	-	20	200	160	2,000
Mandays idle	-	-	640	1,800	1,580	8,000

* Computed on basis of actual numbers of population.

UTAH

LEGAL PROVISIONS

A 1945 Attorney General opinion provides that public officials may voluntarily consummate bargaining agreements if they so desire.

Utah's 1955 right-to-work law gives public employees the right to organize.

CURRENT SITUATION

Bargaining activity appears to be on a moderate level. As of July, 1970, 17 of 40 school districts had written contracts with teachers associations.

CURRENT LEGISLATIVE ACTIVITY

In 1970, Governor Calvin L. Rampton indicated that he would seek passage of two bargaining laws: one for teachers and one for all other public employees. Apparently five different bills were considered by the 1971 legislature, but none was passed. One bill would have provided bargaining rights for fire fighters. A bill backed by Utah State Employees Association is reported to have failed because of resistance by organized labor.

VERMONT

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	390	48	444	49	14.0	19
Population per square mile	42.0	33	47.9	32		
Percent of population urban	38.5	47	32.2	51	-4.7*	51*
Percent of population rural	61.5	5	67.8	1	25.6*	2*
Per capita Personal income	$1,842	37/8	$3,465	33	88.1	12

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$318	14	$721	8	126.7	26
..from Federal Government	$ 68	10	$163	9	139.7	26
..from State & local sources	$250	20	$558	17	123.2	20
Per capita expenditures	$327	15	$724	11	121.4	25

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	311	26	424	26	36.3	28
Total State & local employees (Full time equivalent)	12,119	49	18,833	50	55.4	20
Average monthly income (Full time public employees)	$365	28	$640	23	75.3	20
Average monthly income (FT non-educational employees)	$330	26	$600	22	81.8	8

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	-	-	-
Workers involved	-	-	-	-	-	-
Mandays idle	-	-	-	-	-	-

* Computed on basis of actual numbers of population.

VERMONT

LEGAL PROVISIONS

A 1967 statute, amended in 1970 and 1971, covers municipal employees. Requires collective bargaining with exclusive representative on rates of pay, rules, wages, hours of employment, and conditions of work. State Labor Relations Board conducts elections, hears unfair practices. Commissioner of Labor and Industry appoints mediators. Either party may require an ad hoc, tripartite fact-finding board to issue recommendations on impasses. Binding aribtration provided for disputes involving firefighters. Strikes which endanger the health, safety, or welfare of the public are prohibited and are enjoinable.

A 1969 statute covers teachers (public and private). Requires negotiating with exclusive representative on salaries, related economic conditions of employment, grievance procedures, and mutually agreed upon matters. Provides for mediation and ad hoc, tripartite fact-finding committee to issue recommendations to resolve impasses. American Arbitration Association conducts elections, appoints mediators and fact-finders unless parties otherwise agree. No provisions for unfair practices or strikes.

The State Employee Labor Relations Act of 1969 covers state civil service employees including state colleges. Requires collective bargaining with exclusive representative on all matters relating to the relationship between the employer and employees. State Employee Labor Relations Board determines units, conducts elections, hears unfair practices, appoints mediators, authorizes ad hoc, tripartite fact-finding panels to issue recommendations. Fact finders recommendations may be binding if both parties agree in advance. Board hears and makes final determinations of grievances. Strikes are prohibited.

CURRENT SITUATION

Union actively is apparently on a fairly modest level. The State Labor Relations Board handled four representation elections and one hearing in 1970.

CURRENT LEGISLATIVE ACTIVITY

The 1971 legislature passed a bill to repeal strike penalties for firefighters. There is no current study committee activity.

VIRGINIA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,967	14	4,648	14	17.2	16
Population per square mile	99.6	15	116.9	17		
Percent of population urban	55.6	33	63.1	31	33.1*	9*
Percent of population rural	44.4	19	36.9	21	-2.8	28*
Per capita Personal income	$1,841	39	$3,607	28	95.9	7

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$205	46	$515	43	151.2	6
..from Federal Government	$ 32	41	$ 88	40	175.0	13
..from State & local sources	$172	43	$427	39	148.3	4
Per capita expenditures	$213	47	$522	44	145.1	10

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	277	46	396	39	43.0	12
Total State & local employees (Full time equivalent)	109,822	17	184,093	14	67.6	9
Average monthly income (Full time public employees)	$342	34/35	$630	27/28	84.2	3
Average monthly income (FT non-educational employees)	$310	35	$575	25	85.5	4

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	2	-	1	1
Workers involved	-	-	190	-	40	140
Mandays idle	-	-	3,260	-	100	140

* Computed on basis of actual numbers of population.

VIRGINIA

LEGAL PROVISIONS

Virginia has a 1946 resolution which states that public employees have the right to join organizations not affiliated with any unions, but that it is against public policy for any public governing body to enter into any agreement with an employee organization.

An Attorney General Opinion of 1962 provides that city officials are not duty bound to negotiate with a union but may do so if they wish. State policy discourages, but does not forbid, such dealings.

A 1970 statute mandates that striking public employees be terminated and ineligible for any public employment for twelve months.

CURRENT SITUATION

Apparently a fair amount of bargaining has been taking place with a minimum of problems despite the state's public policy discouraging such activity.

CURRENT LEGISLATIVE ACTIVITY

There is presently no legislation pending and no activity that we know of. Previous bills for teachers have failed to pass.

WASHINGTON

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	2,853	23	3,409	22	19.5	12
Population per square mile	42.8	31	51.2	29		
Percent of population urban	68.1	20	72.6	19	27.4*	13*
Percent of population rural	31.9	32	27.4	33	2.5*	21*
Per capita Personal income	$2,349	12	$3,993	14	70.0	37

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$334	12	$705	10	111.1	35
..from Federal Government	$ 45	26	$117	23	160.0	19
..from State & local sources	$289	6	$588	10	103.5	36
Per capita expenditures	$333	13	$759	9	127.9	22

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	356	11	469	14	31.7	34
Total State & local employees (Full time equivalent)	101,512	20	159,731	20/21	57.4	16
Average monthly income (Full time public employees)	$432	11	$756	8	75.0	22
Average monthly income (FT non-educational employees)	$411	7	$711	8/9	73.0	24

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	1	1	2
Workers involved	-	-	-	540	300	600
Mandays idle	-	-	-	2,140	6,300	5,270

* Computed on basis of actual numbers of population.

WASHINGTON

LEGAL PROVISIONS

A 1961 statute covers toll bridge authority employees. Permits collective bargaining. Marine Employee Commission negotiates and adjudicates disputes.

A 1963 statute covers employees of public utility districts. Permits collective bargaining on similar basis as private employment.

A 1965 statute covers teachers. Requires negotiating with exclusive representative on salaries, working conditions, policies, and programs. State Superintendent of Public Instruction may appoint committee of Educators and school directors to issue recommendations to resolve impasses. School districts to adopt rules to administer act. No provision for unfair practices or strikes.

The Public Employees' Collective Bargaining Act of 1967, amended in 1969, covers local employees. Requires collective bargaining with exclusive representative on wages, hours and working conditions. State Department of Labor and Industries determines units, conducts elections, hears unfair practices. Disputes may be submitted to the State Mediation Service. Act does not authorize strikes.

A 1967 statute covers state civil service employees. Provisions same as above, except State Personnel Board determines units, conducts elections, and hears unfair practices.

A 1967 statute covers port district employees. Permits bargaining. Director of Labor and Industries arbitrates recognition controversies. Act does not authorize strikes.

The 1969 Higher Education Personnel Law covers state university system personnel. Permits collective negotiations with exclusive representative on all personnel matters under institutions' control. Higher Education Personnel Board required to adopt rules on determination of units and certification of representatives. Board hears unfair practices. Strikes are not authorized.

CURRENT SITUATION

Washington has had a considerable amount of union activity. Several union-shop contracts have been negotiated. The Washington Federation of State Employees (AFL-CIO) recently won a statewide unit of 3900 professional and technical employees in the Division of Public Assistance.

CURRENT LEGISLATIVE ACTIVITY

Five public employee bargaining bills were considered by the 1971 legislature, but none passed. Two were companion bills to amend the present act covering local employees; two were companion bills covering public and private nursing employees; one was a comprehensive bill to create a Public Employment Labor Relations Board and bring all public employees under one statute.

The 1969 amendment to the Public Employees' Collective Bargaining Act created an interim committee to study the act. The committee report recommended comprehensive changes.

WEST VIRGINIA

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	1,860	30	1,744	34	-6.2	51
Population per square mile	77.3	21	72.5	26		
Percent of population urban	38.2	48	39.0	50	-4.5*	50*
Percent of population rural	61.8	4	61.0	2	-7.4*	42*
Per capita Personal income	$1,596	44	$3,021	46	89.3	11

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$218	43	$529	36	142.7	13
..from Federal Government	$45	24	$151	11	235.6	6
..from State & local sources	$172	44	$378	47	119.8	23
Per capita expenditures	$217	44	$558	35	157.1	5

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	277	45	412	32	48.7	5
Total State & local employees (Full time equivalent)	51,578	33	71,817	35	39.2	46
Average monthly income (Full time public employees)	$322	45	$546	44	69.6	33
Average monthly income (FT non-educational employees)	$257	49	$460	49	79.0	15

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	3	3	2	7	7	6
Workers involved	450	590	30	480	3,280	670
Mandays idle	1,560	1,230	50	3,030	53,440	3,780

* Computed on basis of actual numbers of population.

WEST VIRGINIA

LEGAL PROVISIONS

West Virginia has no general statute dealing with employee management relations in the public service.

CURRENT SITUATION

There has been a moderate amount of union activity in the public sector. The private sector is the most heavily organized of any state. The Laborers union represents maintenance workers at two state colleges, AFSCME represents workers in three cities; however, 3,400 state road workers were fired in 1969 following a week-long strike for recognition.

CURRENT LEGISLATIVE ACTIVITY

A meet and confer bill covering all public employees except state police failed by four votes in the 1971 legislature. The bill would have permitted binding arbitration of impasses. A bill covering public employees had been previously considered in 1969.

WISCONSIN

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	3,952	15	4,418	16	11.8	21
Population per square mile	72.2	23	81.1	23		
Percent of population urban	63.8	24	65.9	29	15.4*	32*
Percent of population rural	36.2	28	34.1	23	5.4*	11*
Per capita Personal income	$2,174	22	$3,693	25	69.9	39

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$283	26	$693	11	144.9	9
..from Federal Government	$ 30	44	$ 82	46	173.3	15
..from State & local sources	$253	17	$611	7	141.5	8
Per capita expenditures	$290	26	$692	13	138.6	13

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	285	39	414	29	45.3	8
Total State & local employees (Full time equivalent)	112,521	16	182,980	16	62.6	11
Average monthly income (Full time public employees)	$423	13	$741	12/13	75.2	21
Average monthly income (FT non-educational employees)	$398	9/10	$655	15	64.6	40

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	2	3	5	2	15	9
Workers involved	290	1,430	600	430	3,190	3,080
Mandays idle	300	3,110	1,050	3,800	21,380	25,960

* Computed on basis of actual numbers of population.

WISCONSIN

LEGAL PROVISIONS

One statute enacted in 1959, amended in 1961 and 1971, covers local employees and teachers. Requires negotiations with exclusive representative on wages, hours, and conditions of employment. Wisconsin Employment Relations Board administers statute, determines units, conducts elections, provides mediation and fact finding of impasses, resolves disputes over bargaining issues, hears unfair practices. Agency shop agreements are permitted; however, must have approval of 70% of employees in bargaining unit. Strikes are prohibited.

A 1966 statute covers state employees. Requires collective bargaining with exclusive representative on conditions of employment. Board administers statute, provides above services plus arbitration of grievances. Strikes are prohibited, treated as unfair practice, penalties are prescribed, may be enjoined. Management rights are listed.

CURRENT SITUATION

MERC handled 409 municipal cases during FY 69-70, up 33% over previous year. Elections and prohibited practice cases showed the greatest increase of 45%. Thirty-four strikes were reported involving 6,387 employees for 36, 732 man-days lost.

CURRENT LEGISLATIVE ACTIVITY

The 1971 amendment incorporated a number of changes to the statute covering local employees which had been recommended by a 1970 report of the Governor's Advisory Committee. The 1971 legislature also considered four other amendments which failed to pass.

WYOMING

STATE POPULATION DATA

	1960	Rank	1970	Rank	% Chg.	Rank
Total population (thousands)	330	49	332	50	0.7	47
Population per square mile	3.4	49	3.4	50		
Percent of population urban	56.8	32	60.5	33	7.2*	46*
Percent of population rural	43.2	20	39.5	19	-7.9*	43*
Per capita Personal income	$2,261	17	$3,556	31	57.3	50

STATE GOVERNMENT ECONOMIC DATA

Per capita revenues	$470	1	$894	3	90.2	50
..from Federal Government	$150	2	$254	3	69.3	50
..from State & local sources	$320	4	$641	6	100.3	41
Per capita expenditures	$454	1	$876	5	93.0	47

PUBLIC EMPLOYMENT DATA

Employees per 10,000 inhabitants (Full time equivalent)	433	1	603	2	39.3	21
Total State & local employees (Full time equivalent)	14,302	47	20,042	49	40.1	44
Average monthly income (Full time public employees)	$380	23/24	$591	34	55.5	50
Average monthly income (FT non-educational employees)	$343	24	$515	37	50.1	51

WORK STOPPAGES IN STATE & LOCAL GOVERNMENT

	1965	1966	1967	1968	1969	1970
No. of stoppages	-	-	-	-	-	-
Workers involved	-	-	-	-	-	-
Mandays idle	-	-	-	-	-	-

* Computed on basis of actual numbers of population.

WYOMING

LEGAL PROVISIONS

A 1965 statute covers local firefighters. Requires collective bargaining with exclusive representative on wages, working conditions, and all other terms and conditions of employment. Statute provides for ad hoc, tripartite, binding arbitration of impasses. No provision for an administrative agency, unfair practices, or strikes.

In 1971, the Laramie County District Court ruled that the City of Cheyenne could not be represented in negotiations with firefighters by a private law firm. The Court ordered the City Council to negotiate with the union.

CURRENT SITUATION

Level of union activity appears to be quite modest. A Cheyenne City Attorney opinion recently advised that city does not have the authority to bargain with any group of city employees except firemen or to enter into a labor contract with any labor organization. The Teamsters had presented signed representation cards from 51% of eligible employees.

CURRENT LEGISLATIVE ACTIVITY

Several new bills were considered by the 1971 legislature, but none passed. One was police bargaining bill similar to the firefighters act. Another provided arbitration of disputes by the court.

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